

**ENVIRONMENT, LAND ACQUISITION & PLANNING COMMITTEE
of the
Suffolk County Legislature**

Minutes

A regular meeting of the Environment, Land Acquisition & Planning Committee was held in the Rose Y. Caracappa Auditorium at the William Rogers Legislative Building, Veterans Memorial Highway, Hauppauge, New York on **April 30, 2001** at 3:15 P.M.

MEMBERS PRESENT:

Legislator David Bishop, Chairman
Legislator Michael Caracciolo, Vice Chair
Legislator Ginny Fields
Legislator George Guldi
Legislator Cameron Alden
Legislator Allan Binder
Legislator Vivian Fisher

ALSO PRESENT:

Paul Sabatino, Legislative Counsel
Jeannine Dillon, Aide to Legislator David Bishop
Thomas Isles, Director of Suffolk County Planning Department
Lauretta Fischer, Principal Planner, Suffolk County Planning Department
Fred Daniels, Deputy Commissioner, FRES
Don Gackenhimer, Deputy Director S.C.F.A.
Nicole DeAngelo, County Executive's Office
Ken Knappe, Budget Office
Vito Minei, DHS
Ben Wright, Suffolk County Department of Public Works
Jim Bagg, Suffolk County Planning Department - CEQ
Gregg Lauri, Suffolk County Parks Department
Jim Burke, Suffolk County Real Estate
Allan Grecco, Suffolk County Department of Real Estate
Jim Spero, Assistant Director of Budget Review
All Interested Parties

Minutes taken and transcribed by Irene Kulesa, Legislative Secretary

(The meeting came to order at 3:20 P.M.)

CHAIRMAN BISHOP:

We will start the meeting of the Parks Land Acquisition and Planning Committee. Please rise for the Pledge of Allegiance to be led by Vito Minei.

SALUTATION

CHAIRMAN BISHOP:

All done Vito. I was a little concerned about your patriotism but passed the committee's test. We have, as always, an extensive agenda. Do we have any departments that want to present anything? Yes, Alan, we know you want to. Anybody else? You're just here to monitor everybody else? Is that correct? Yes, we're doing CEQ, yes. How could we forget? Good afternoon.

MR. GRECCO:

Good afternoon. At the last meeting and as usually is the case, I give a quarterly report as to where we are on the Acquisition Programs. I've given you basically three handouts. What I'd like to do is just highlight what I've given you. The first one I would call the 2001 real property acquisitions. This lists what we have acquired so far this year. I thought I looked amongst your pile? Got it? Okay. The first one says 2001 real property acquisitions. Very briefly, it shows that actually as of April 20th, we closed fourteen million dollars worth of property and got 452 acres. We closed a portion of Wading Brook for 4.5 million. We just recently closed Roman Catholic Diocese in the Pine Barrens Core for about 63 acres. Other notable acquisitions included the Wedge, McGovern Sod Farm under active parks and the Serota parcel under Greenways Open Space for 1.9 million known as the Coram Green Belt.

LEGISLATOR FIELDS:

Can I interrupt? One of the requests that we had asked, thank you, was to identify where these acquisitions are and I don't see that. I know they have the tax map number but then we have to try to figure out who is 0900 and who is 0200.

MR. GRECCO:

They're in alphabetical order. Like 0100 would be Babylon, 0200 would be Brookhaven. I guess in your district, 0500 is Islip.

LEGISLATOR FIELDS:

0900? No, what's 0900?

MR. GRECCO:

0900 is Southampton. All right, briefly, 0100 is Babylon, 0200 is Brookhaven, 0300 would be East Hampton, 0400 Huntington, 0500 is Islip, 0600 is Riverhead, 0700, now we're into the S's this gets tricky. 0700 is Shelter Island, I believe, 0800 is Smithtown, 0900 is Southampton and 1000 is Southold. What's that?

LEGISLATOR GULDI:

Do the villages.

MR. GRECCO:

Do the villages. That would be 904.

LEGISLATOR GULDI:

No that's Southampton.

MR. GRECCO:

So sue me.

LEGISLATOR FIELDS:

Legislator Alden would like to know if there are any 0500 on any of these pages?

MR. GRECCO:

No but I will get to what we're doing in Islip.

LEGISLATOR FIELDS:

Okay, go ahead. Thank you for identifying those.

MR. GRECCO:

Okay, yes again, it's alphabetical order, in terms of the tax map. Now, this basically shows what we've closed. I'd like you to next look at something that says summary, status of funds, March 31st, 2001. It's the stack of material I've given you. Okay! Now, this shows our programs across the top. I have not included the new Drinking Water Protection Program. Now, you see the first line is total acquisitions closed 2001. Those numbers represent essentially what I've shown you on the first page but just as one line rather than the breakdown. Now, if you look at the fund balances that you show underneath that, you'll see that coming across, we have right now, without any further appropriations, thirty eight million, five hundred thousand dollars approximately that we can utilize at this point in time, in any specific, provided it's within those specific programs. So there's significant monies there.

In addition, I draw your attention to the Drinking Water Fund where we show a projected balance of 4.5 million, which we believe is the difference between the projections of last year on the budgeted amount and the actual amount of the sales tax, which has been collected up to December 1, 2000. I have two problems with that. Problem number one is we don't know exactly how much that amount will be and problem number two, I don't know when it will be available, so I can't exactly count on that money today. The sales tax receipts are still being reviewed by the Budget Office and we anticipate --

CHAIRMAN BISHOP:

Do we know when?

MR. GRECCO:

In June, I believe. I believe around June, we should have a clearer picture of the sales tax. So now, under that column the next --

CHAIRMAN BISHOP:

Legislator Caracciolo has a question on that specific.

LEGISLATOR CARACCILOLO:

Alan, to date this year, we -- the Legislature has approved several resolutions, as I recall one in Legislator Tonna's district. One in my district and I think there's one other that's either pending or recently been approved that taps into this year's extension of the sales tax program, the other

quarter percent.

MR. GRECCO:

Yes, the new program. That's correct.

LEGISLATOR CARACCILO:

Okay. At what point in time this year, will you have authorization to actually go to the Treasurer and request a check be written to consummate those contracts that are pending?

MR. GRECCO:

My understanding is that there is approximately, we have budgeted approximately seven million for open space and four million approximately for farmland under the new Drinking Water Program. The Budget Office has been requested to make an appropriation of approximately 90 percent of that fund in case two things happen. Number one, the funds are less than anticipated and number two; there's no voting. There's no ability to borrow.

LEGISLATOR CARACCILO:

Okay.

MR. GRECCO:

So if I'm just looking at what we have available in the new program today, we believe that we can -- I've made a request already. I have made that request.

LEGISLATOR CARACCILO:

What will be the priority in which those funds will be released? Will it be chronological based on when they were approved by the Legislature? I mean what methodology is going to be used? Do we need legislation that clarifies how those funds are released?

MR. GRECCO:

I would believe that we would handle this like we handle any other program and that is matters in contract, I would use it for first.

LEGISLATOR CARACCILO:

Okay, could you enumerate for us then of those that had been approved or are earmarked used in 2001 Drinking Water Protection Funding? Which of those have you and a seller have agreement on?

MR. GRECCO:

Okay, I have one in your district, as you may know called Spring Meadow.

LEGISLATOR CARACCILO:

Right.

MR. GRECCO:

Which is supposed to be utilized with partially old funds and partially this

fund. So I have one in Legislator Tonna's district called Deager, which is not in contract yet but I understand accepted for about a little over one million five. Those are the only two.

CHAIRMAN BISHOP:

And you got one it --

MR. GRECCO:

And I got the Forsyth Meadows addition.

LEGISLATOR CARACCILOLO:

I thought there was three.

MR. GRECCO:

Yes and the third -- yes, yours is in contract; yours is like ready to close. It's supposed to close like today.

LEGISLATOR CARACCILOLO:

Well, the contract, let's use that one as an example. Do you have contract language that specifies a closing date?

CHAIRMAN BISHOP:

If the --

LEGISLATOR CARACCILOLO:

Well, I think if --

CHAIRMAN BISHOP:

Can I interrupt? Because I thought we were going to -- the specific question is what?

LEGISLATOR CARACCILOLO:

Well, the specific question is --

CHAIRMAN BISHOP:

What is the inquiry about?

LEGISLATOR CARACCILOLO:

Okay the 2001 funds that had been earmarked in legislative resolutions already approved.

MR. GRECCO:

Right.

LEGISLATOR CARACCILOLO:

Okay? When will the funds be released to consummate those acquisitions?

MR. GRECCO:

The funds will be released when an appropriating resolution is presented and authorized.

LEGISLATOR CARACCILO:

Well, we have three, you said.

MR. GRECCO:

Yes that's correct.

LEGISLATOR CARACCILO:

Now my question is, you have three already in the pipeline ready to close.

MR. GRECCO:

No, no, no. I have one.

LEGISLATOR CARACCILO:

Just one?

MR. GRECCO:

I have yours ready to close.

LEGISLATOR CARACCILO:

Okay.

MR. GRECCO:

I have Deager.

LEGISLATOR CARACCILO:

And let's use that one as an example.

MR. GRECCO:

One in Legislator Fisher's District, Forsyth Meadow.

CHAIRMAN BISHOP:

If I may? Allan?

MR. GRECCO:

We're negotiating.

CHAIRMAN BISHOP:

Allan, his question is, do we need another resolution?

MR. GRECCO:

Yes.

LEGISLATOR CARACCILO:

Could you amplify --

CHAIRMAN BISHOP:

Is that your Budget Office person back there? Is that Mr. Knappe?

LEGISLATOR CARACCILO:

That's helpful. So that we, as individual legislators --

MR. GRECCO:

We need a resolution.

LEGISLATOR CARACCILO:

Because I don't believe Legislator Tonna is aware of that. I don't know if --

MR. GRECCO:

No, Legislator Tonna is aware of this.

CHAIRMAN BISHOP:

Hold on.

MR. GRECCO:

And I believe you are as well.

CHAIRMAN BISHOP:

Counsel, please?

MR. SABATINO:

Let me interject? This is where we left off at the last meeting. That's why the other bill was tabled because there was a resolution to commit to those parcels in the Pine Barrens and the whole thing was tabled because of this very question, so --

CHAIRMAN BISHOP:

Well, I'm not sure about that. I see these as two different issues. A couple meetings back, Counsel and Director Grecco agreed that 2001 money currently being collected could be used to acquire property. Then resolutions came out of that. Legislator Tonna's resolution, Legislator's Caracciolo's resolution, I guess Forsyth Meadows, Legislator Fisher and I had one, which is not under Open Space but under Water Quality Protection that was approved at the last meeting of the Legislature. It's in Lindenhurst. It's a small parcel.

MR. GRECCO:

Yes, yes.

CHAIRMAN BISHOP:

All those four resolutions used money that's currently being collected. The question from us is what do we have to do now to get the money actually spent? I don't think it's your -- I think it goes to him and it's between Budget Office and counsel.

MR. KNAPPE:

Ken Knappe from the Budget Office. If Mr. Pollert and Mr. Spero is here today, they might be able to pick up on it as well. The way that it was included in the 2000 and 2001 Adopted Budget is a reserve fund balance in fund 477, the new quarter cent monies. That money is in a reserve fund balance and I do believe Mr. Grecco is correct that an additional appropriating resolution needs to be done to authorize the sum of money to purchase those lands or to go forward with the other steps in that acquisition.

CHAIRMAN BISHOP:

Are those resolutions done after an agreement is reached? Or do you -- how would we go about it? What's the --

MR. GRECCO:

Well, ordinarily, yes. Ordinarily the resolutions to acquire the property comes from this body and once we see the need to spend the money because of contracts, we then go for appropriating resolutions. We're at that point. We need appropriating resolutions.

CHAIRMAN BISHOP:

What?

LEGISLATOR CARACCILO:

Go ahead.

CHAIRMAN BISHOP:

I'll get back to you in one second. When you say appropriating resolutions, you foresee a procedure that would have you now, your office now, negotiate a price and then you want a specific resolution on a particular parcel?

MR. GRECCO:

No, I'm looking --

CHAIRMAN BISHOP:

You want a blanket?

MR. GRECCO:

I'm looking for a blanket resolution and I'm going to speak on these on other programs as well. I'd like to see, as we've done in the past with the Drinking Water for example, a blanket resolution, which puts money into one of these accounts, so that I can close.

LEGISLATOR CARACCILO:

And how much money would that be at this juncture?

MR. GRECCO:

At this point, I would look for approximately six million dollars.

LEGISLATOR CARACCILO:

Would that resolution now --

MR. GRECCO:

Just of the open space component of the 2001.

LEGISLATOR CARACCILO:

Six million for open space.

MR. GRECCO:

Right.

LEGISLATOR CARACCILO:

How about the category that relates to --

CHAIRMAN BISHOP:

Water quality?

LEGISLATOR CARACCILO:

Water quality.

MR. GRECCO:

Water quality doesn't really deal with --

LEGISLATOR CARACCILO:

So we can do kind of an Omnibus Resolution.

MR. GRECCO:

Water quality doesn't really deal with land acquisition.

CHAIRMAN BISHOP:

Sure it does. Does it?

MR. GRECCO:

No.

CHAIRMAN BISHOP:

It can?

MR. GRECCO:

Well, it's not --

CHAIRMAN BISHOP:

It can in the case that I'm speaking of because --

MR. GRECCO:

Okay.

CHAIRMAN BISHOP:

Buying land for some -- or water recharge basin.

MR. ISLES:

That's something we wanted to come to you on as we talked about, I believe, to come before you to talk about that program and kicking the program off

and so forth. So in answer to your question that program is gearing up. Mr. Bishop has one item in the hopper at the moment. There are about fourteen projects that have been indicated as projects of interest to the Planning Department that we're going to present to you. And then they have to go through design and then still a ways off in actually needing money to do the projects though.

CHAIRMAN BISHOP:

Well, in this particular circumstance, the Village of Lindenhurst passed a resolution saying if County -- if you turn over -- if you acquire a parcel and turn it over to us, we will put in a water recharge basin along Strongs Creek to insure that the storm water runoff that eventually goes to the bay is cleaner. So that would -- it falls within the Water Quality Protection Program and it is a land acquisition.

MR. GRECCO:

Well, correct me if I'm wrong. When we make these appropriations, we're not using any debt service against it until it's spent?

CHAIRMAN BISHOP:

Right.

MR. GRECCO:

Am I correct? In other words, it's like a line of credit you're giving me, in essence. So perhaps you might want to consider 90 percent of all three components, farmland or drinking water/open space and water protection. So this way I don't have to keep coming back to you.

LEGISLATOR CARACCILO:

Okay, what was that dollar amount equate to?

MR. GRECCO:

That would be --

LEGISLATOR CARACCILO:

Seven million, you said?

MR. GRECCO:

Well, no. There was seven and four and how much was the water protection? About three million?

CHAIRMAN BISHOP:

Yes, I understood.

MR. GRECCO:

Three million, I believe. So seven and four, I would say 90 percent of fourteen million.

CHAIRMAN BISHOP:

The only problem with that is that, for example, under the Greenways Open

Space, we had more wants than we had money for.

MR. GRECCO:

Right.

CHAIRMAN BISHOP:

And so it was the policy of this committee or it's predecessor, the Greenways Committee not to release it all until we knew exactly what the priority order was.

MR. GRECCO:

Right.

CHAIRMAN BISHOP:

Or acquisition. In other words, we wanted to maintain some control. If we give you 90 percent, then you could go out and pick the ones you want and then the committee --

MR. GRECCO:

Oh, I'm not picking what I want. I'm picking what comes in.

LEGISLATOR CARACCILO:

What's authorized?

MR. GRECCO:

On that comment? On Greenways Open Space, by the way, you gave me a list and we were able to, at least, to either buy or offer to every single parcel that was on that list. Like for example, because Talmage did not want to deal with us that came off the list. Reckson did not want to deal with us. That came off the list but everybody who had an interest got an offer. So we were able to hit everything on Greenways Open Space within the twenty million.

LEGISLATOR CARACCILO:

Question for counsel? Paul, I know this has been accomplished in the past, in a number of different ways. Based on the fact that we have four resolutions that have been approved by the Legislature, all that is necessary, at this point, is a final resolution that would release the funding. Could we have that resolution prepared listing these four parcels, so that Mr. Grecco can do what he has to do to consummate these acquisitions?

MR. SABATINO:

Sure that would be an option. You could appropriate some certain; it would be less than the full amount and specifically identify --

LEGISLATOR CARACCILO:

The four parcels?

MR. SABATINO:

Or previously adopted --

LEGISLATOR CARACCILO:

Resolutions?

MR. SABATINO:

Resolutions.

LEGISLATOR CARACCILO:

Okay. I'd like to, you know ask you to prepare that resolution maybe as the committee, on behalf of the committee, if I remember the committee's interest in doing that, so that we could go ahead and close on those four pending land acquisitions. Can you give us or counsel, if not on the record, off the record, an approximate idea of how much funding will be necessary?

MR. GRECCO:

Well I would prefer doing it off the record, because one of the matters, the Forsyth Meadows addition is a matter in negotiation and probably would not be proper on the record to discuss it. But I'll be happy to meet with him after the meeting and give him the numbers.

LEGISLATOR CARACCILO:

Okay, would that complicate or jeopardize any of the other three parcels? Legislator Bishop's, Legislator Tonna or my acquisition, my district, if there is a delay in the release of appropriations for, you know consummate in these deals. In other words, you have contracts in all three cases?

MR. GRECCO:

No, no.

LEGISLATOR CARACCILO:

Just mine?

MR. GRECCO:

No, I have contracts in Spring Meadow, which I need money like, literally yesterday.

LEGISLATOR CARACCILO:

What happens if we don't release funding? Do you jeopardize --?

MR. GRECCO:

He can cancel the contract.

LEGISLATOR CARACCILO:

Okay.

MR. GRECCO:

I could be in that position. The Deager property, we have an agreement verbally between the attorney and I and contracts are being prepared. But the attorney is from out of State in Virginia and he's a little reluctant to deal with us unless he sees that we're serious.

CHAIRMAN BISHOP:

Cut them off.

MR. GRECCO:

Okay.

CHAIRMAN BISHOP:

May we have our answer?

MR. GRECCO:

Okay.

CHAIRMAN BISHOP:

We're going to have -- direct counsel to prepare a resolution.

MR. GRECCO:

Thank you.

CHAIRMAN BISHOP:

And perhaps we can get a certificate of necessity on it, so that --

MR. SABATINO:

This would only be for the three that you have contracts.

LEGISLATOR CARACCILO:

That's correct.

MR. GRECCO:

I have one in contract, one accepted and Legislator Fisher's is in negotiation and then I have yours.

CHAIRMAN BISHOP:

Which is not even --

MR. GRECCO:

Which is in a different category.

CHAIRMAN BISHOP:

We don't even know about.

MR. SABATINO:

So it's Spring Meadow.

MR. GRECCO:

Spring Meadow, Deager and Forsyth Meadows addition.

MR. SABATINO:

Forsyth, okay thanks.

MR. GRECCO:

Okay. Just coming back to this because I got a little sidetracked because that doesn't appear on this list. When you take a look at what's available, a total available for Year 2001, I included for drinking water the 4.5 which is the difference between the projected and the actual, which we should have soon. From that I subtract what's in contract, was accepted and what is in negotiation, future payments and the total projected expenditures. I'm pleased to say that a number of the recently accepted is now moved up to in contract, specifically in farmland. So when you look at what we have available, minus what we're either in contract or negotiating or accepting on, you see a negative balance in every account other than South Setauket Woods, which is just an account, which we just were to run down. Now, before you today are three resolutions for the appropriations for 2001, for Capital of Farmland, Open Space and Land Preservation Partnership. If you look at the minus figures on Farmland, Open Space and Land Preservation Partnership you'll clearly see the necessity for appropriating these amounts, okay?

LEGISLATOR CARACCILO:

Which handout are you looking at now?

MR. GRECCO:

I'm looking at amount available for future negotiations.

CHAIRMAN BISHOP:

Negative, being what is in the parenthesis.

MR. GRECCO:

Everything in the parenthesis is a negative. Let's not be an alarmist. It looks like we're oversubscribed by twenty three million.

LEGISLATOR CARACCCIOLO:

Million dollars?

MR. GRECCO:

Yes, because that includes things that are what's called in negotiation, which a lot of them may not take, like for example, one of them in Legislator Caracciolo's district is not in negotiation and it makes a seven million dollar difference in our final numbers. So this is really a free balance and something that changes literally day to day. Now, if you give me the five million in farmland, I can consummate a number of transactions, which I'm also looking for authorization on phase five. The last item I gave you was a prioritization list that Legislator Binder asked for -- for why you tabled the farmland. So I gave you a prioritization as to what we really want in our wish list for that resolution, which is before you today as well. That's a separate sheet.

CHAIRMAN BISHOP:

Can I --

MR. GRECCO:

It says prioritization.

LEGISLATOR ALDEN:

That's it.

MR. GRECCO:

That's it. That's in exhibit A that gets attached to one of the resolutions before you and that will tell you which parcels we're looking for.

CHAIRMAN BISHOP:

That's your farmland exhibit A?

MR. GRECCO:

That's the farmland exhibit A. That was based on a prioritization and discussion with the Planning Department based upon size adjacent to County parcels, development pressure and acceptance of offers.

CHAIRMAN BISHOP:

I'd like to ask the committee if we could focus on the water policy questions? We go to the specific questions about protection.

MR. GRECCO:

Behind -- okay, I'll keep this very broad as you and I discussed earlier. Behind this sheet is a breakdown of each of the programs. Now what I want to draw your attention to is 125E and 125D accounts, which is in your package. Those specific accounts are somewhat like escrow accounts for each of the towns. They're not included here. So in summary, what I believe we have and it looks like I took -- ah, here we go. If I'm looking at having right now available 38.5 million, right now? I'm looking for another 9 million, which is your farmland of five, open space of two and land pres. of two before you today, plus I got the new drinking water of eleven, which is seven for open space drinking water and four for farmland. And in Greenways, we have another ten we can appropriate for active parks and for farmland. And if you look at the sheets, you'll see why I need the additional ten in each of those. Resolutions will be coming to you for appropriations in those two programs. I have matters in active parks and in farmland, which if consummated, will be in excess of my fund balances, as it currently stands. So I would get another 20 million out of those two programs. That gives me 78.5 million. I'm reading from my notes.

LEGISLATOR ALDEN:

Mr. Chairman? Mr. Chairman?

CHAIRMAN BISHOP:

Hold on, I'm going to take -- just you finish what you're doing and then we'll do questions.

MR. GRECCO:

Okay, so with the 78.5 million of what is available, in terms of what you've already put in your budget for this year and what is the balance in these two

Greenway accounts with the fourteen million we've spent already. That would be a total of 92.5 million for environmental purchases without capital offsets, without new programs, without any further appropriations beyond the Year 2001.

CHAIRMAN BISHOP:

I think that I'm going to -- I'll ask the first questions because, I think, I have identified one of the problems. Going across the line that says amount available for future negotiation, you have negative numbers.

MR. GRECCO:

Correct.

CHAIRMAN BISHOP:

That doesn't mean that the County has negative numbers. It means your department has negative numbers.

MR. GRECCO:

Yes, what it means in essence is --

CHAIRMAN BISHOP:

We haven't released that yet.

MR. GRECCO:

Right. What I'm saying is when I look at the resolutions that you've asked us to negotiate on, between what's in contract, what is recently accepted, what is in negotiations is that much in excess of my balance.

CHAIRMAN BISHOP:

But your balances are your departmental balance. For example, Greenways?

MR. GRECCO:

Um-um.

CHAIRMAN BISHOP:

We have the capacity to generate 10 million dollars more but your balance would say I only have 4 million?

MR. GRECCO:

That's correct.

CHAIRMAN BISHOP:

So we don't have to go out and tax?

MR. GRECCO:

No.

CHAIRMAN BISHOP:

Right.

MR. GRECCO:

No, no.

CHAIRMAN BISHOP:

That's why you're --

MR. GRECCO:

All right, Greenways, Open Space you've given me the --

LEGISLATOR CARACCIOLO:

Looking at the chart, Allan? If I can just make a point to clarify this? If everyone looks at that status of summary status of funds, it's really quite simple to follow. It says on the very first line, balance of accounts, 38596. Then you come down and you have in contract 26 recently accepted 36 million in negotiation 26 million, future payments 1.5 million, total projected expenditures of 66 million 340689. What he is requesting is that figure that's in parenthesis at the bottom, which is 23 million dollars, correct?

MR. GRECCO:

No, no.

LEGISLATOR CARACCIOLO:

Why not?

MR. GRECCO:

What I'm saying is you have -- you've given me -- I have authority --

LEGISLATOR CARACCIOLO:

Those numbers don't add up right there? That column doesn't add up?

MR. GRECCO:

No that column, you're close, you're very close. That's 66 represents matters which we haven't spent money on and I'm looking at 38, which you've authorized for us already --

LEGISLATOR CARACCIOLO:

Right.

MR. GRECCO:

Which means that if everybody says yes and if everything goes to closing, I'm 23 million in the hole.

LEGISLATOR CARACCIOLO:

Yes.

MR. GRECCO:

That's what that means.

LEGISLATOR CARACCIOLO:

Yes that's what I'm saying. That last column adds up and you have a shortfall of 23 million dollars.

MR. GRECCO:

That's correct.

LEGISLATOR CARACCILO:

Everything in that last column pans out. You need another 23 million dollars.

MR. GRECCO:

Correct.

LEGISLATOR CARACCILO:

That's why it's the last figure in that column.

MR. GRECCO:

Right.

LEGISLATOR CARACCILO:

Thank you.

MR. GRECCO:

Okay, maybe we are saying the same thing. I apologize.

CHAIRMAN BISHOP:

I think it's going to take some time before we --

LEGISLATOR CARACCILO:

Mr. Isles is that not correct?

MR. ISLES:

That's correct, sir.

LEGISLATOR CARACCILO:

Thank you.

MR. GRECCO:

I have several suggestions. I think, I've mentioned this before is that, in order to continue at what we're doing is about a million dollars a week in acquisitions. That's the rate we're going. In order to continue that rate, we would look for appropriations. I'm not looking for capital offsets. I'm not looking for increasing the Capital Budget. I'm just saying that you've put it in the budget, give me the five two and two. You've got it in Greenways. In Open Space you were generous enough to give me the 20 million. I'm going to have it spent. You've given me ten in parkland and ten in farmland. We're going to request the additional ten, so that we can deal with these deficits. I'd like to see an appropriation for the new Drinking Water Protection Program. If you give us the appropriations that we're requesting, we can have close to 100 million dollars spent without borrowing, without any additional capital expenditures and that's basically what I'm trying to say.

LEGISLATOR FISHER:

Mr. Chairman?

CHAIRMAN BISHOP:

Okay.

LEGISLATOR FISHER:

I just wanted to get back to the Chairman's question, which was that it's not that we're 23 million or would be 23 million in the hole. We just have to access. Some of this would be offset by accessing monies that are already in place.

MR. GRECCO:

Absolutely.

LEGISLATOR FISHER:

I believe that's what the Chair had been saying.

CHAIRMAN BISHOP:

That's exactly the point.

MR. GRECCO:

Yes.

LEGISLATOR FISHER:

We're not in the hole; we just need to access those funds.

CHAIRMAN BISHOP:

When you said deficit --

LEGISLATOR FISHER:

Ten million more in -- it's not a deficit, it's a --

MR. GRECCO:

No. That's why I didn't want to be an alarmist about this.

LEGISLATOR FISHER:

Right, he was saying it's money that's not in your department to spend.

MR. GRECCO:

That's correct.

LEGISLATOR FISHER:

But it is money that is within our power to access.

CHAIRMAN BISHOP:

Right.

MR. GRECCO:

Right and you have -- you have put it in your budget. It's within Greenways.

So I'm not looking for adding any additional taxes. I'm not doing a Shadmore or a Jacobs Farm type of thing. But if you give us the normal appropriations, we believe we can do a significant amount of things. We can have approximately 100 million dollars to spend in all these different programs.

CHAIRMAN BISHOP:

Right.

MR. GRECCO:

Legislator Alden.

LEGISLATOR ALDEN:

I think, there's a couple keys here to understand. I'm going along with everything that you're saying. The one problem I have or it's not even a problem, just as we authorized these appropriations and release the money, we're borrowing that money. So right now, there's a number and I don't think we've gotten to that yet. There's a number that we've expended the funds on, so we've actually borrowed this money. We've incurred the debt and now we're paying back principal and interest on it.

Then there's this other set of figures where it was in the budget but we have not gone and borrowed that money, so we haven't incurred that debt and we've not obliged ourselves to pay back principal and interest. In that, I think, that maybe I'm going to touch on something and maybe the Chairman will rule me out of order or whatever but, I think, that's at the point where I'd like to see a debate go on right now as to what path Suffolk County should go in, as far as what types of properties we should focus on closing and what we should really go out and make a full out effort to acquire. And maybe other programs shouldn't be that much of a high priority in this -- in our budgetary times, as to borrow a couple little phrases and also looking at like the State of the County Address and we've had some information in Finance Committee and a couple other meetings that does not look too well for our sales tax receipts coming in on budget. So correct me if I'm wrong Mr. Chairman? Is this the right time to actually start talking about --?

CHAIRMAN BISHOP:

Yes.

LEGISLATOR ALDEN:

You know, personally?

CHAIRMAN BISHOP:

These are the -- This presentation is supposed to allow Legislators to focus on the broad questions of funding appropriations.

LEGISLATOR ALDEN:

As far as this one Legislator, I feel that the appropriate point for us to go and enter and also to continue on is to protect the most, I guess, fragile type of properties. So I would be looking to really focus our resources and our time

and energy on what -- wetland protections, things like that. As far as the Farmland and just Open Space acquisitions, I think, at this point in time, they to me would be less important than protecting fragile types of properties.

MR. GRECCO:

I --

LEGISLATOR ALDEN:

No, I still have the mike.

MR. GRECCO:

Oh, I'm sorry.

LEGISLATOR ALDEN:

That's nice. As far as some of these other programs where we have towns and the towns have the ability through zoning to not go and grant subdivisions where property has existed as a Farmland, for instance. They really have the ability to still protect that through zoning and there's no right of a lot of those properties to put in a ton of housing or extra housing, things of that nature. They've enjoyed tax breaks up to this point also. Now, I saw Mr. Isles hand go up as far as you want to address my priority?

MR. ISLES:

I just want to make one point and that is on the Greenways Program. It was approved under a voter referendum in 1998, allocating 62 million dollars towards these programs. So it is an approved program and at that time, there was a ranking of the properties that occurred and that was presented to the committees and to the Legislature. So number one, it is a dedicated program, approved for the specific purpose of buying Open Space Farmland and Parkland, number one. Number two, it did go through a screening process to rank those parcels and an actual list was then generated. So based upon that list and direction from the Legislature, the Real Estate Department has been going out pursuing those parcels and it's now come time to complete those transactions, appropriate the money. So that's what we're asking for on that and so I see it as being existing policy of the County, approved by the voters in 1998.

LEGISLATOR ALDEN:

All this goes beyond that though. There's 62 million dollars in acquisitions, some of which have been closed. So how much going for was Open in the Greenways?

MR. GRECCO:

Well, okay. Greenways, all right. There are three components, Greenways, Open Space; you've given me the 20 million. It's pretty much spent. You've given me 10 million in active parks and you've given me 10 million in Farmland. We will be requesting the additional 10 in both, to go after the parcels.

LEGISLATOR ALDEN:

Okay, this is then, we're exactly at the point I thought we were at and this is the point that I think we have to have the debate. What should be a priority for Suffolk County to go out and purchase? We're exactly at the point.

CHAIRMAN BISHOP:

All right, Legislator Fields and then Fisher.

LEGISLATOR FIELDS:

Allan, in this list that you gave us? I looked through it and I think Cameron also mentioned it. There are no 0500 and yet, I believe that and you can correct me if I'm wrong, you are negotiating or in contract possibly with some properties but yet, I don't see any in any of these sheets?

MR. GRECCO:

Okay, I would draw your attention to some of the later sheets that are under 125E monies.

LEGISLATOR FIELDS:

What page is that?

MR. GRECCO:

It's all the way in the back. The 125E comes out of the old program and in Islip we have a 1.3 million-dollar recently in accepted transaction. Well, there's two of them. We offering Asylum Society of the City of Brooklyn and Progressive Ventures and we're still negotiating with NYCON FMO Associates and Vincent Mongello. So your monies for Islip are coming out of a separate fund, which is like an escrow account coming out of the old program.

LEGISLATOR FIELDS:

What does that do to these numbers?

MR. GRECCO:

Nothing.

LEGISLATOR FIELDS:

Nothing.

MR. GRECCO:

This is outside of those numbers.

LEGISLATOR FIELDS:

Okay, because I thought this would subtract from those numbers.

MR. GRECCO:

No, no, no. I wanted to point out that the 125D and the 125E numbers are separate, consider them escrow accounts for each of the towns.

LEGISLATOR FIELDS:

Did you hear that Cameron?

MR. GRECCO:

So I have a total of 8.5 which doesn't need appropriations, as I understand it, in 125E and I've got about 3 million in 125D to utilize. And what we're trying to do is we're trying -- when we get an acquisition, we try to fit it into a D or an E type of setup because number one, it's there and number two, it takes pressure off of these general accounts, so that monies can be utilized somewhere else. Excuse me?

LEGISLATOR ALDEN:

South of Sunrise Highway --

LEGISLATOR FIELDS:

Union Boulevard.

LEGISLATOR ALDEN:

Union Boulevard, right next to a Suffolk County --

CHAIRMAN BISHOP:

That's great.

LEGISLATOR FIELDS:

It's wetlands.

MR. GRECCO:

This is Islip's money. So that's why we find the D and the E properties to be what we call no {brainers}.

LEGISLATOR FIELDS:

It used to be farmland actually. Anyway, thank you.

CHAIRMAN BISHOP:

Legislator Fisher.

LEGISLATOR FISHER:

Allan, we spent quite a bit of time at our last meeting discussing 1230 with reference to the Pine Barrens, okay?

MR. GRECCO:

Yes, I recall.

LEGISLATOR FISHER:

All right. How would the passage of that resolution impact the charts that you have given us?

MR. GRECCO:

Okay, very good question.

LEGISLATOR FISHER:

Because you did say it would range from 30 million to 60 million depending on what the cost would be per acre.

MR. GRECCO:

Right. The charts I had given dealt with, as I indicated earlier, every program but this one. Because I haven't A, the money and B spent any of it. So it would impact perhaps on the minus number on the first column of the old Drinking Water Program to the extent that --

LEGISLATOR FISHER:

The Drinking Water Program that's on the first page of the thick packet that you gave us?

MR. GRECCO:

That's correct.

LEGISLATOR FISHER:

Okay.

MR. GRECCO:

Right and then secondly that would impact on those three parcels, Spring Meadow.

LEGISLATOR FISHER:

Okay.

MR. GRECCO:

Ward Melville and Deager.

LEGISLATOR FISHER:

And Deager, okay.

MR. GRECCO:

It absolutely would impact.

LEGISLATOR FISHER:

Okay, it's really important because we've been debating 1230 and it's merits and if that would impact so heavily on the Drinking Water Program that it would threaten the acquisition of the pending properties that you're looking at. Spring Meadows, Deager, Forsyth Meadow, yes?

MR. GRECCO:

Oh, yes absolutely.

LEGISLATOR FISHER:

Okay and we had, I believe, Legislator Binder and I had both indicated that if we were unwilling to spend the money on these Pine Barrens properties that we should pressure the State to come forward with more funding. Allan, we had discussed that at the last meeting. Has there been any discussion with the State with regards to honing up a little bit more on --

MR. GRECCO:

My recollection was that Legislator -- I keep doing this, Mr. Sabatino was going to write a letter to them.

CHAIRMAN BISHOP:

He wrote. What I have is a -- I just heard Legislator Binder say that he's doing a Sense Resolution that's appropriate.

LEGISLATOR BINDER:

I just wanted to know if members of the committee wanted to be part of them. I'll have it faxed out in the morning.

CHAIRMAN BISHOP:

Okay, because we will have a hearing. At our next hearing, we'll have that Sense Resolution and this letter will go out, which I will read. Essentially it says, it's to Assemblyman DiNapoli and Senator LaValle as prime sponsors of the Long Island Pine Barrens Protection Act seek your help in getting New York State to fulfill its obligations arising out of the enactment of the landmark legislation. The key paragraph is to date; Suffolk County has acquired approximately 20,000 acres in the Central Pine Barrens Core Preservation area, while New York State has acquired approximately 13,000 acres. We have been advised that there are 3,000 to 3,700 acres that remain to be acquired. In light of provisions of the State Act providing for indemnity of Suffolk County by the State in connection with the municipal acquisition of land under the Act and based on Suffolk County's long standing nationally acclaimed blah, blah blah -- The key sentence is, we believe, New York State should now step up to the plate and meets its moral, if not legal obligation to fully implement the Long Island Pine Barrens Protection Act. So we're inviting the State Senator, State Assemblyman responsible for the law and DEC Commissioner Cowan representing the Executive Branch of the State to that hearing and Legislator Binder's resolution will be in the hopper at that time. So that will be the time we'll take that on.

LEGISLATOR FISHER:

Okay, thank you very much.

CHAIRMAN BISHOP:

Legislator Binder, do you wish to be recognized? Legislator Alden wants seconds but before he goes for seconds, I am willing to engage in an exercise using the big chart page, Allan?

MR. GRECCO:

Yes.

CHAIRMAN BISHOP:

I'm going to go from right to left, like it was Hebrew.

MR. GRECCO:

Okay.

CHAIRMAN BISHOP:

And just this is the way I understand it. Greenways Farmland, there's a 20 million dollar authorization by the voters. You have spent approximately what 500 thousand?

MR. GRECCO:

No, on Greenways Farmland, we have --

CHAIRMAN BISHOP:

To date?

MR. GRECCO:

To date, I have not expended any money --

CHAIRMAN BISHOP:

Zero.

MR. GRECCO:

However, I --

CHAIRMAN BISHOP:

You think that this year and the remainder of the year, you will spend what? Ten million?

MR. GRECCO:

More than 10. I have over 10 million in accepted offers. You've given me --

CHAIRMAN BISHOP:

That's just too much.

MR. GRECCO:

You've given me approximately 10 million dollars already. I have accepted offers slightly in excess of 10 million and believe -- yes please?

CHAIRMAN BISHOP:

All right. Next? Greenways Parkland, voters authorized 20 million. You've spent to date?

MR. GRECCO:

This year? I'm saying I've spent 5.3, I'm guessing. But I'm --

CHAIRMAN BISHOP:

But you're going to go over the 10 million that's been appropriated.

MR. GRECCO:

Considering what I have acceptances of, I will need additional appropriations

for active parks.

CHAIRMAN BISHOP:

Right. So you need an additional appropriation for active parks from the 20 million that was authorized by the voters?

MR. GRECCO:

Correct.

CHAIRMAN BISHOP:

Open Space, 20 million authorized by the voters.

MR. GRECCO:

Spent.

CHAIRMAN BISHOP:

Twenty million appropriated by the Legislature and almost 20 million spent by --

MR. GRECCO:

Exactly.

CHAIRMAN BISHOP:

Okay. So that's done. I don't know why South Setauket Woods is a category.

MR. GRECCO:

We got the Northville settlement --

CHAIRMAN BISHOP:

Oh, I see.

MR. GRECCO:

And we're just running it down. But it's very interesting because you might be able to access additional funds when the Pine Barrens clearinghouse runs its time, because they've got about 5 or 6 million dollars and it's supposed to come into here. So we don't get capital appropriations in South Setauket Woods and we also -- I'm pleased to announce, I've just made a significant acquisition.

CHAIRMAN BISHOP:

Hold on you're going to have to --

MR. GRECCO:

South Setauket Woods was never a program.

CHAIRMAN BISHOP:

Northville was an oil company. They spilled oil into the ground.

MR. GRECCO:

Right.

CHAIRMAN BISHOP:

There was lawsuits. They settled.

MR. GRECCO:

Part of the settlement is they gave us, I believe, 3 million dollars and they gave the State 5 million to start the credit clearinghouse and it was supposed to be there for about eight years and then used potentially either to go to the black hole and to Albany and then come back in the South Setauket Woods for acquisitions. Now that money has not been spent in the clearinghouse. In fact, they're up to 6 million dollars because they kept it in an interest bearing account. So in about a year, I believe, that money is supposed to come out of the clearinghouse and presumably can come into South Setauket Woods, which is under tremendous development pressure.

CHAIRMAN BISHOP:

What is the --

MR. GRECCO:

And that's about 5 or 6 million.

CHAIRMAN BISHOP:

What is the clearinghouse?

MR. GRECCO:

The clearinghouse, the Pine Barrens clearinghouse, it does the TDR's in the Core. Remember that they've only done 200 acres.

CHAIRMAN BISHOP:

Right No, I do remember.

MR. GRECCO:

It's the time this started.

LEGISLATOR CARACCILOLO:

On this --

MR. GRECCO:

They have a lot of money.

LEGISLATOR FISHER:

And you're in negotiations for certain parcels in South Setauket Woods?

MR. GRECCO:

Absolutely.

LEGISLATOR FISHER:

You've been negotiating there.

MR. GRECCO:

Yes.

LEGISLATOR FISHER:

But that's outside of these other programs.

MR. GRECCO:

Right.

LEGISLATOR FISHER:

Because that's money that's been earmarked for South Setauket Woods.

MR. GRECCO:

Right, I could just run this account out and close the books and that would be fine.

LEGISLATOR CARACCILO:

Okay.

MR. GRECCO:

If you wish.

LEGISLATOR CARACCILO:

On this point? The 3 million that with interest is now almost 6 million.

MR. GRECCO:

No, it was 5 million. It's now 6.

LEGISLATOR CARACCILO:

I'm sorry. The County's portion was 5, the State was 8 and with interest the County's portion is up to 6. Just go through those numbers again?

MR. GRECCO:

No, no, no. Let's start again. My recollection is that there was about 8 million-dollar settlement. Three million went to the County for what was called South Setauket Woods acquisitions and the other 5 million went to the establishment of the Pine Barrens Credit Clearinghouse

LEGISLATOR CARACCILO:

Okay, you said there are -- there is approximately 6 million because of interest?

MR. GRECCO:

Correct.

MR. ISLES:

The 3 million.

MR. GRECCO:

The 3 million, Legislator Caracciolo you're seeing here is now going to be down to 1.4. This came out of my 3 million-dollar fund.

LEGISLATOR CARACCIOLO:

You know it would be a lot easier if you could provide us with charts that summarize these --

MR. GRECCO:

You want like a --

LEGISLATOR CARACCIOLO:

This is very --

CHAIRMAN BISHOP:

He thinks he's organized it in the way that you could understand. Some of us are struggling with it. I'm trying to go through a way that I could understand.

MR. GRECCO:

For those who were on the committee before, the format that we had agreed upon a couple years ago.

LEGISLATOR CARACCIOLO:

It's a very confusing format Allan.

MR. ISLES:

The 5 million dollars that went to the State to set up the Pine Barrens credit system is now 6 million dollars based on interest and no expenditures. So that's where the 6 million dollars come from. There's 5 million in the State account.

LEGISLATOR ALDEN:

But that's the State.

CHAIRMAN BISHOP:

If you don't spend it on Pine Barrens, I assume then it flows to South Setauket. Is that what you're indicating?

MR. ISLES:

That's my understanding.

CHAIRMAN BISHOP:

Right. It comes to us to for South Setauket.

MR. GRECCO:

I'm not certain.

CHAIRMAN BISHOP:

We're hopeful.

CHAIRMAN BISHOP:

All right, let's go to the next one. Okay that's good, we don't need one. Land Preservation, next fund.

MR. GRECCO:

Land Preservation --

CHAIRMAN BISHOP:

That's the Land Partnership Preservation?

MR. GRECCO:

Yes, that's the fifty, fifty fund. If everything closed out, I'm eight hundred thousand in the hole. So if you give me the other 2 million, I could have some money.

CHAIRMAN BISHOP:

That's the way you understand it. Let me try it my way. It's rolling on my way. Land Partnership Preservation Program is an annual capital expenditure?

MR. GRECCO:

Correct.

CHAIRMAN BISHOP:

How much did we authorize in 2001, in the Capital Budget?

MR. GRECCO:

Two million.

CHAIRMAN BISHOP:

Two million and you've spent one point -- you were given 1.2 and you spent 1.2 is that?

MR. GRECCO:

No. I had 1.2 left over. It started out as, I believe, a 5 million-dollar account and you gave me 2 million dollars a year thereafter. So I've been carrying balances. Because of the 2 percent money being generated out on the North and South Forks, I'm getting a lot of Preservation Partnership transactions on the East End. So if you give me the additional 2 million, which is in this year's budget, I can consummate the transactions, which we have acceptances on.

CHAIRMAN BISHOP:

But that would still be short?

MR. GRECCO:

No.

CHAIRMAN BISHOP:

Even if we gave you the 2 million, you'd be --

MR. GRECCO:

No, I would be 1.2 million on the plus side.

CHAIRMAN BISHOP:

Got you. Okay.

MR. GRECCO:

Take a look at it. Two million minus eight hundred thousand.

CHAIRMAN BISHOP:

We always say that Land Partnership is oversubscribed but actually it's not.

LEGISLATOR CARACCIOLO:

So on this chart, where is that 1.2 million that you would have as a balance after you consummate all of the expenditures?

MR. GRECCO:

Well, okay if you give me the 2 million where it says note and subtract from that and the deficit of eight hundred thousand that gives you approximately one --

CHAIRMAN BISHOP:

One point two in the positive.

MR. GRECCO:

On the plus side.

LEGISLATOR CARACCIOLO:

If you go back up, so if we go to the bottom of this chart to the top --

CHAIRMAN BISHOP:

Right.

LEGISLATOR CARACCIOLO:

It's in the middle where it says one point two, eight, eight, right?

LEGISLATOR FISHER:

No you don't have to go back up to the top. Where it says minus eight hundred twenty four --

MR. GRECCO:

Right.

LEGISLATOR FISHER:

And then you add 2 million to that; you wind up with a net of 1.2.

LEGISLATOR CARACCIOLO:

For 2001 is one point two, eight, eight. It's the same number.

MR. ISLES:

It's a coincidence.

CHAIRMAN BISHOP:

That's a coincidence. All right, the next one I see we're going to have a problem though. That is the Capital Fund for Open Space.

MR. GRECCO:

Yes.

CHAIRMAN BISHOP:

Which we have 2 million dollars set aside for this year, for 2001.

MR. GRECCO:

Correct.

CHAIRMAN BISHOP:

But if you consummate every deal that you've been authorized to do, even with that 2 million, you're going to be one point two, three, four in the hole.

MR. GRECCO:

Yes but what I did was I spoke to the County Attorney's Office on this and that 1.5 in future payments is coming out of the Maple Swamp litigation, which is still going on, so I can push that off until next year, potentially.

CHAIRMAN BISHOP:

Okay, so basically you're --

MR. GRECCO:

I could, I could get by.

CHAIRMAN BISHOP:

Okay, so if we give you the 2 million you could do what you have to do under the program, thank you. Farmland, same thing. Five million needs the 5 million.

MR. GRECCO:

Right.

CHAIRMAN BISHOP:

Okay and then what's the last one, the drinking water? That's the new money that we're generating?

MR. GRECCO:

No, that's the old Drinking Water Program.

CHAIRMAN BISHOP:

The old one, okay.

MR. GRECCO:

I haven't set up the new one yet because there's no activity.

CHAIRMAN BISHOP:

What's the situation, the old one is that we need eight and a half million dollars to do the rest of the Pine Barrens, is that what you're talking about?

MR. GRECCO:

No, no, no. This is --

CHAIRMAN BISHOP:

I thought I had it down.

MR. GRECCO:

Beg your pardon?

LEGISLATOR FISHER:

That was the question I asked him earlier.

MR. GRECCO:

No, the one that was town by town, the 125E and 125D sheets are outside of this chart. They are like separate escrow accounts.

LEGISLATOR FISHER:

And 1230 --

CHAIRMAN BISHOP:

The drinking water one, explain that column?

MR. GRECCO:

The drinking water is the old program that expired under -- in November 30th of 2000 is 125A and E expenditures inside and outside of the Core.

CHAIRMAN BISHOP:

Yes.

MR. GRECCO:

And if you have some linkage resolutions, which we spoke about, for example with Spring Meadow it would ease the pressure on this account.

CHAIRMAN BISHOP:

I don't understand. What does that number mean at the bottom 8.5 million?

MR. GRECCO:

That would be, if everybody said yes, I would be 8.5 million short based upon current balances.

CHAIRMAN BISHOP:

Right. But this is the program --

MR. GRECCO:

Outside the Core -- this is inside the Core and outside the Core. These are things that I am either in negotiations on or in contract or accepted. There are literally hundreds of properties in the Core that I'm not going after at the moment because I don't have the money. These are acceptances, essentially.

CHAIRMAN BISHOP:

Okay. This is the troubling number, is it not?

MR. GRECCO:

This is a troubling number.

CHAIRMAN BISHOP:

Okay.

MR. GRECCO:

Because the amount of money, you take the pressure off of this program and put it into the next, limits your ability without borrowing to any percentage, to do any new transactions under the new program.

CHAIRMAN BISHOP:

I don't understand that answer.

MR. GRECCO:

All right. This number, this deficit number under the old Drinking Water Program, to the extent that you link properties into the new program to reduce that deficit over there --

CHAIRMAN BISHOP:

Oh, I see, right.

MR. GRECCO:

Is going to put additional pressure on the new program.

CHAIRMAN BISHOP:

Okay, now --

LEGISLATOR FISHER:

Questions, Mr. Chairman?

CHAIRMAN BISHOP:

Yes?

LEGISLATOR FISHER:

Could any of those parcels that are listed under this old Drinking Water Program that are under negotiations, could they be moved to a different program in any of the Revenue Sharing Programs in the towns, so that you

don't realize that you're deficit in this program?

MR. GRECCO:

Yes, they can be. And you know, Mr. Isles and I have been looking at some of these properties to try to switch funding to get it out of that general fund and into the, what I call, the specific funds.

CHAIRMAN BISHOP:

What I don't understand is, this is a program where the revenue stopped on a specific date.

MR. GRECCO:

Right.

CHAIRMAN BISHOP:

So conceivably your pot of money stopped growing.

MR. GRECCO:

Correct.

CHAIRMAN BISHOP:

You're spending down. Why do you keep -- why are we in negotiation when you're out of money?

LEGISLATOR CARACCILOLO:

Under the old program?

CHAIRMAN BISHOP:

Under that program?

MR. GRECCO:

The old program? Because you had 30 to 60 million authorized in the Pine Barrens Core alone and you had outside parcels under the Drinking Water Program under 125E that we've oversubscribed.

CHAIRMAN BISHOP:

Is the reason you did that, because you presume that they will be authorized in the new program?

MR. GRECCO:

No, no. This body had authorized it. You authorized the acquisitions of these properties, so we went after them.

LEGISLATOR CARACCILOLO:

But we now require an amended --

MR. GRECCO:

I'm presenting to you what the status, the financial status this situation is in.

LEGISLATOR CARACCILO:

But I think the Chairman's question is, since that category is oversubscribed, the date has passed, the funds have dried up and we now need another 6 million while you have here another 8.5 million dollars to consummate all of these in contract, accepted and in negotiation parcels, you need 8.5 million dollars. Do you need a resolution from the Legislature that says go ahead, make all of these transactions and give us the authority to use the new Drinking Water Protection Program?

MR. GRECCO:

Yes.

LEGISLATOR CARACCILO:

Okay.

CHAIRMAN BISHOP:

That's the presumption. Then you're going to get the money from the new program.

MR. GRECCO:

Well that was not our presumption.

LEGISLATOR CARACCILO:

There's no other place to get the money.

MR. GRECCO:

That's correct.

MR. ISLES:

I think, it's really a question right now of how many of these things actually go into contract. If you'll notice in contract, there's 1.1 million, not too much, since we have about 5.2 million in there right now. But piling up past that is recently accepted 5.6 million, 5.7 million actually and in negotiation 6.8 million. So I think the real question is, policy wise, how many of those do you want to bring into contract? Do you want to curtail the program under the current fund balance or do you want to consider other alternatives of funding, such as the new quarter percent or some other pot?

LEGISLATOR FISHER:

In the other two programs, we come to over 5 million in the 125E and 125D. The other revenue sharing programs, we have a 2 million 2.1 million total and a 3.7 million total in those two programs. So I go back to my previous question, which is those parcels that are in negotiation, which is about 6 million, if we could divert some of those into another program? Then you would be diverting; you could go up to 5.7 million dollars, which would relieve some of the pressure on this program.

MR. GRECCO:

Yes, we discussed that earlier. We would have to get resolutions from this body to switch the funding from the old drinking water to either the D or the

E accounts.

LEGISLATOR CARACCILO:

Which is the best way to do it, I think, is the question collectively? We're trying to get the answer; we're trying to get out of here?

MR. GRECCO:

All right. Well the, I think --

LEGISLATOR CARACCILO:

Budget Review, let me ask Budget Review that question. Let me go to our budget people. Jim?

LEGISLATOR FISHER:

Will you let him finish? He was in the middle of his --?

LEGISLATOR CARACCILO:

All right, go ahead.

MR. GRECCO:

I thought maybe we could do some sort of Omnibus Resolution that any --

LEGISLATOR CARACCILO:

What is the most cost-effective way to do it?

MR. GRECCO:

One resolution that says anything that was authorized under the old drinking water, where appropriate, can be utilized under the D or E accounts.

LEGISLATOR CARACCILO:

The D or E accounts.

MR. GRECCO:

Right.

LEGISLATOR CARACCILO:

Okay, would you then have sufficient funds? You would not?

MR. GRECCO:

Probably not; but it would certainly help the deficit. It would certainly help on the pressure.

LEGISLATOR CARACCILO:

Okay. Jim, would that be the most cost effective way to go ahead and consummate these acquisitions? Since we're talking about a policy question, we need to know the financial implications of making a policy decision.

MR. SPERO:

Are you going to transfer from the old Water Quality Program? These unused balances?

LEGISLATOR CARACCIOLO:

Mr. Grecco, do you want --?

MR. SPERO:

On a pay as you go basis?

LEGISLATOR CARACCIOLO:

Mr. Grecco, do you want to hear from Mr. Spero, exactly what your recommendation is?

MR. GRECCO:

Jim, I was looking at the account balances in D and E, what I call the escrow accounts for the non-pine barrens in pine barrens towns and it was our thought that with respect to the fund balances there, anything under the old drinking water that where appropriate, should be paid out of the D or the E since that comes out of a separate account?

MR. SPERO:

This is money we have on hand.

CHAIRMAN BISHOP:

Right.

LEGISLATOR CARACCIOLO:

Okay.

CHAIRMAN BISHOP:

How much is that?

MR. SABATINO:

Well, 2.1 under D if I'm reading it right.

MR. GRECCO:

Three point seven and 2.1 but keep in mind, we would have to spend it in the --

CHAIRMAN BISHOP:

You'd have to spend it in those particular towns?

MR. GRECCO:

Yes, I mean I have forty thousand in Shelter Island, for example.

LEGISLATOR CARACCIOLO:

Okay, now exactly, you see that's where the complication comes, Allan.

MR. GRECCO:

A ferry ride.

LEGISLATOR CARACCILOLO:

Allan that's where the complication comes. Okay, so now how do you get beyond that complication to provide sufficient funding to make these in negotiation transactions come to a close? Do we now have to consider going to the new Drinking Water Program and earmarking funds for this category? Or what other method would you prefer?

MR. GRECCO:

I think we have to do a number of things. I think the first thing we have to do is where we have these drinking water funds, these drinking water acquisitions, let's clean out the D and E accounts first. Then I think we have to take a hard and fast look at the Pine Barrens to see what do we want to do, what do we not want to do. I don't believe it's this administration's position to spend 30 to 60 million in the Pine Barrens getting the remaining 3 to 3,700 acres. I think we need to see what we want for control. In other words, what is surrounded by our properties? What do we need for our acquisitions?

LEGISLATOR FISHER:

Allan, aren't you presupposing with that statement that you would have a perfect match?

MR. GRECCO:

That's right.

LEGISLATOR FISHER:

What I'm saying is that you have some negotiations that are occurring. For example, let's say you have a 2 million dollar piece of property and there's not a program in D or E in Shelter Island or wherever?

MR. GRECCO:

I'll give you a perfect example. In Legislator Caracciolo's district, I have Wading Brook. It's a 4 million-dollar transaction. It's in the Town of Brookhaven. Brookhaven only has how much? Seventy two thousand, I'm a little short.

LEGISLATOR FISHER:

Well, we go back to Legislator Caracciolo's question then. What do we do when we don't have a match? How do you propose to --?

MR. GRECCO:

Well, you're going to -- first -- all right. To where the extent D and E can apply, use it. Secondly decide, because the Core is really where you have the

--

LEGISLATOR CARACCILOLO:

You have a recommendation on secondly?

MR. GRECCO:

Yes. My recommendation is that we do not abandon the Core completely but that we decide from a planning standpoint what do we want for control purposes, for example, for controlled burns or whatever. That is something that Mr. Isles could address. My third suggestion is that once we decide what we do want to continue negotiating and closing on in the old program, we authorize it in a new program.

LEGISLATOR CARACCILO:

Sticking just with the case in point, Spring Meadow. How would you propose, what funding sources should we utilize to close that?

MR. GRECCO:

At this time period, I believe we -- as soon as I can get money, we should utilize the new program and to supplant what I have left in the old program, because I believe, we will lose this transaction if I wait for the additional 4.5 to become available.

LEGISLATOR CARACCILO:

Okay, now these funds come in monthly, quarterly and are deposited in an account, the new Drinking Water Quarter Percent Program?

MR. GRECCO:

I believe Mr. Knapp spoke on that. They periodically come in, yes.

LEGISLATOR CARACCILO:

No, no, this is --

MR. GRECCO:

They do budget estimates and then they do actual periodic.

LEGISLATOR CARACCILO:

So if we have legislative counsel prepare a specific resolution for those three parcels in Legislator Tonna's district, Fisher and my district, what program does he identify in the resolution to pay for these acquisitions?

MR. GRECCO:

The new Quarter Percent Program.

LEGISLATOR CARACCILO:

All right. Then it goes to the budget office and they are the final arbitrators whether or not the money is here and we can spend it? Is that the way --

MR. GRECCO:

I believe --

LEGISLATOR CARACCILO:

So we understand how it works.

MR. GRECCO:

I believe what has to happen is you have to appropriate the monies. Once the monies are appropriated, I can have access.

LEGISLATOR CARACCILO:

What was 1315 that we approved back on April 8th or 10th for Spring Meadow? I thought that was -- you prepared it. So what was that supposed to accomplish?

MR. GRECCO:

That was to link -- that was to link Spring Meadows, as authorized under the old program to be authorized under the new program.

LEGISLATOR CARACCILO:

Okay, so now why do we need something in addition to that? That's what I don't understand.

MR. GRECCO:

We need an appropriating resolution.

LEGISLATOR CARACCILO:

Okay, so that fell short of actually appropriating?

MR. GRECCO:

That's correct. It works on the theory that it's two separate programs.

LEGISLATOR CARACCILO:

All right.

MR. GRECCO:

The Budget Office, the Budget Review Office had written up a critique on this program that indicated that the appropriations have to come out of the budget.

LEGISLATOR CARACCILO:

You need a legislative appropriating resolution --

MR. GRECCO:

That's correct.

LEGISLATOR CARACCILO:

To release and then once that's approved --

MR. GRECCO:

I can close.

LEGISLATOR CARACCILO:

You can close. Then who is it? The Treasurer just has the authority to write the checks?

MR. GRECCO:

That's correct. We send them out to the Treasurer and they take it out of the --

LEGISLATOR CARACCIOLO:

Okay, good Allan. Thank you.

CHAIRMAN BISHOP:

Legislator Binder, one minute. If you have a parcel in the Town of Brookhaven that is not in the Pine Barrens and you have an authorization from this Legislature to purchase it, it is likely found in the category designated drinking water?

MR. GRECCO:

Well, it could be Open Space. It could be Land Preservation. It could be South Setauket Woods.

CHAIRMAN BISHOP:

All right.

MR. GRECCO:

I don't want to be difficult.

CHAIRMAN BISHOP:

It could be found in the category drinking water.

MR. GRECCO:

Yes.

CHAIRMAN BISHOP:

In which case, the formula that will just take 125E and 125D money to offset that purchase would not apply?

MR. GRECCO:

That's correct, because I can't use another town's money to buy property in Brookhaven.

CHAIRMAN BISHOP:

Right and you can't use Pine Barrens money to buy a property in Brookhaven that's not Pine Barrens, correct?

MR. GRECCO:

Well, no. It depends on what 125 account it comes out of. If it comes out of A,B,C,D or E.

CHAIRMAN BISHOP:

I think my point is that there's 6 million that you find in 125E and 125D may

not transfer over to everything that creates the 8.5 in drinking water.

MR. GRECCO:

Absolutely.

CHAIRMAN BISHOP:

Okay.

MR. GRECCO:

Correct.

CHAIRMAN BISHOP:

So if that is the case, how do we pay for these additional parcels?

MR. GRECCO:

Well, I don't know that you want to buy them all.

CHAIRMAN BISHOP:

Oh that was your -- what was the answer?

LEGISLATOR CARACCILOLO:

We got the two. We got the second.

LEGISLATOR FISHER:

Well, we were coming to his second -- right.

MR. GRECCO:

Yes and you may --

LEGISLATOR FISHER:

To a variety of different responses.

CHAIRMAN BISHOP:

Find an alternatives funding source. What does that mean?

MR. GRECCO:

You may also decide to front load it by borrowing at some point. In which case, this problem does not take place, if that's the desire of this body. But what I'm saying is without borrowing, without doing a borrowing resolution, we and if you just give me what you have put in your budget for all these different programs, we can access approximately 100 million dollars. It's not just a blank check to buy anything, in any town. It's going to have to be used for specific purposes. But we could access approximately 100 million dollars without borrowing, without capital offsets, without capital projects, just in what you have authorized. And that's the point I'm trying to drive home.

LEGISLATOR CARACCILOLO:

How do we do that when we're talking about prop two, you had indicated that this year you expected that fund balances of about 50 million? Where did the

other 50 million come from? But you used a 100 million. Is that 100 million figure you just quoted include the new Drinking Water Protection Program?

MR. GRECCO:

Yes.

LEGISLATOR CARACCILOLO:

Okay.

MR. GRECCO:

It includes left over money, separate 125E and D accounts for the different towns.

LEGISLATOR CARACCILOLO:

But as you closed out 2000, the conversations we've had and I'm sure you've had them with other people, last year we spent approximately, I think, it was 48 to 51 million dollars?

MR. GRECCO:

Right.

LEGISLATOR CARACCILOLO:

Okay and when we were having a conversation about whether or not prop two would be approved by the voters, you knew and you explained to me that even if it was defeated --

MR. GRECCO:

Right.

LEGISLATOR CARACCILOLO:

You would have another 50 million dollars readily available this year, which we have.

MR. GRECCO:

Right.

LEGISLATOR CARACCILOLO:

Okay.

MR. GRECCO:

Simply put, we can do a million dollars a week for the next two years, if you appropriate all that, which you have already approved. That's the bottom line.

CHAIRMAN BISHOP:

Got it. Okay, let's go to the agenda.

LEGISLATOR CARACCILOLO:

Mr. Chairman, if I can make a suggestion?

CHAIRMAN BISHOP:

Oh, Legislator Binder, I apologize. You're next.

LEGISLATOR CARACCIOLO:

Allan, if you just yield one minute? Mr. Grecco, in the future, I think it would help all of us if you would, when you prepare these charts, if this is what you use in-house and you know between planning and yourself that's fine. But I think the Legislators, if you could just prepare your list as follows: By town, by parcel.

MR. GRECCO:

I was also going to suggest, if I may?

LEGISLATOR CARACCIOLO:

By legislative district and by program.

MR. GRECCO:

How about a little critique on each one?

LEGISLATOR CARACCIOLO:

Well no, you get towns like Brookhaven and Islip; it's hard for the Legislators in those towns to really know where in the towns these parcels may be. You don't want to do it by district. I think --

CHAIRMAN BISHOP:

We know exactly where they are.

LEGISLATOR CARACCIOLO:

Okay.

LEGISLATOR FISHER:

We know where they are.

LEGISLATOR CARACCIOLO:

All right, so then by town --

LEGISLATOR FISHER:

Well, the number tells you the town.

MR. GRECCO:

Well, the tax map designated --

LEGISLATOR CARACCIOLO:

But just ten pieces of paper, beginning with Babylon and going all the way through to Southold.

MR. GRECCO:

Oh, segregated by town.

LEGISLATOR CARACCILO:

By town, okay.

MR. GRECCO:

Got you. All programs by town.

LEGISLATOR CARACCILO:

By the name of the property owner, the size of the parcel, which program, okay? Since we have twelve environmental programs in the County, which program, okay and then where you stand, in terms of the funding source? You have money for it; you don't have money for it and where you'd like to request the money to come from? That makes it real easy.

MR. GRECCO:

Well I -- you know, I just want to mention that when Legislator Fisher chaired this committee, we talked about the problems, in terms of trying to present this material and this is the way we had discussions with Legislators --

CHAIRMAN BISHOP:

It's an advance from where we were at before.

MR. GRECCO:

You know to do it. So that was then and this is now. I keep doing that. I'm sorry.

CHAIRMAN BISHOP:

We're just fine-tuning it. Legislator Binder. He wants to blow it all.

LEGISLATOR BINDER:

We don't have, in the presentation, the parcels broken down by where they're suggested from, which is understandable. But obviously, there are a number of parcels suggested by individual Legislators, not because of finding themselves on a list or priorities. Not because you've broken out the necessity. Not because they're wetlands particularly. Not because they're particularly under threat of development. It's because Legislators who have decided that these are important. Would you have an idea of how much we're talking about, in terms of spending? For legislative initiative properties? Could you venture a guess on how much we're talking about, in terms of --?

MR. GRECCO:

Anyone?

LEGISLATOR BINDER:

See my concern is here, you know we have these numbers in contract, recently accepted in negotiations, future payments, total projected expenditures. That could be really large numbers, you know and it's one thing when we talk about -- we've talked about priorities and when the priorities come because of an objective set of criteria because we're looking

at that, I can understand that. And when you're flush with money, it's understandable that Legislators look around their district and they hear from their constituents and you know that parcel would be nice to buy because everybody will be happy. It's protected from development. But we're not flush with money anymore. Here we're talking about beg, borrowing and whatever to try to get whatever money we can to do what we need to do.

But part of what we quote "need to do" or part of your charge seems to be generated stuff from us and it can be a large part. I'd like to know, in the aggregate, if that would be possible. How much is generated by us that doesn't come from my priority list but comes from, dare I say, a political list. Of course, not all of them are, because Legislators try to do the right thing and they're strict and they try to find important pieces that are really important to the people of their district. But at the same time and by the way, I have one in there somewhere myself. So we're not -- none of us are immune to this. But the question really is, as we're having some very large concerns about deficits and about spending and about taxing, it would seem prudent for us to try to hone in on what we're buying, why we're buying it and it should be a lot more objective than the spate of things that Legislators put in and I think we do, to a great amount. There's even a piece of legislation before us where we're going to pay pilot payments. You know possibly we should even pay pilot payments. This is in an atmosphere where we're pulling our hair out about whether we should be raising taxes and what are the expenditure levels.

Jim, maybe you can give me an idea? If we were to give them everything they wanted that meaning our real estate gurus, as they're buying and negotiating and say well, if I had ten more here and if you give me my two more here and a million here, you know it starts to add up to real money. Now, not all of it's borrowed. I assume some of it's just straight out money that comes in, money that goes out. So that's not all and the money that comes in and goes out has to be spent on land. In other words, that's not fungible for us, in terms of budgetary allocation. But if we talk about the borrowing and I don't know what the figures are, I can't add up how much you want total, in terms of authorization to go forward on borrowing. Maybe you can give me or maybe Allan, before I get to Jim, maybe you can give me an idea, generally what we're talking about, in terms of the borrowing and then Jim can give me an idea, in terms of what we're talking about in debt service?

MR. GRECCO:

Right, okay. Jim just asked the question, I think, what you're addressing is, how much do we have authorized and not issued, all right?

LEGISLATOR BINDER:

Right.

MR. GRECCO:

Simply put, we have another 10 we're looking for in Open Space, excuse me, another 10 in Parkland Greenways, another 10 in Farmland Greenways and

11 in the new Drinking Water and the 9 million from the --

LEGISLATOR BINDER:

How much in the Drinking Water?

MR. GRECCO:

Borrowed money, another 20 million, farm and active.

LEGISLATOR BINDER:

That's 20 million farm and active in Greenways. You said the new Drinking Water? With the new Drinking Water?

MR. GRECCO:

Yes, right. If I'm obligated to borrow, if I borrow it, I'm obligated to spend it. That's correct.

MR. SPERO:

The new Greenways Program, you have to spend that money, 62 million dollars has to be spent by the Year 2006.

LEGISLATOR BINDER:

The Greenways Program?

MR. SPERO:

That's the way the law is written. You can't choose not to do the program.

LEGISLATOR BINDER:

Until 2006, I understand. But when we incur the debt service is a question that is entirely up to us. In other words, in times where you don't want to incur more debt service, you can slow spending down and when you --

MR. SPERO:

Could defer.

LEGISLATOR BINDER:

You defer, because we have until 2006, which is seven years. That doesn't mean we have to spend all of 62 million today because we're supposed to be stewards of the money. We also, as much as we are stewards of the environment and it's striking the balance between the purchasing and protecting of lands, which we do and we're more aggressive then anywhere in the country. And on the other hand, as you get to tighter fiscal times to maybe balance the two interests. So you're talking 10 and 10 in the new Drinking Water, did you say you were -- that's pay as go, except that we just passed -- we probably will be able to borrow against that now, right? Is that --?

MR. GRECCO:

I'm not asking for borrowing on that.

LEGISLATOR BINDER:

For borrowing on that.

MR. GRECCO:

I'm asking for appropriating the entire or 90 percent of the 11 or 14. Four for farm, 7 for the Drinking Water, Open Space and if you wanted to do the Water Protection, you would have to throw another 3 in there. Excuse me 5. So you're looking at more like 15 million.

LEGISLATOR BINDER:

But that's just straight pay as you go.

MR. GRECCO:

Yes.

LEGISLATOR BINDER:

You've got 20 million more in borrowing but that pay as you go money can only be used for land acquisition anyway. What other money are you asking for, in terms of borrowing authority?

MR. GRECCO:

The capital appropriations are 5, 2 and 2 that you see on my bottom line on the front page for Farmland, Open Space and --

LEGISLATOR BINDER:

So we're looking at about rounding it off. We're looking at about 30 million dollars.

MR. GRECCO:

I'm looking at 9 for the capital appropriations, 10 for active Greenways.

LEGISLATOR BINDER:

Twenty-nine. It could be a 30 million dollars Drinking Water so --

MR. GRECCO:

Drinking is 40. Here's my point 40; you give me the 40 of things you've authorized --

LEGISLATOR BINDER:

That's okay but --

MR. GRECCO:

I'm just trying to show you how I came up to my numbers.

LEGISLATOR BINDER:

So I'm trying to get kind of total in borrowing that we're going to do, should we do everything you've asked for. Do all the buying including legislative parcels that everyone wants to see or not everyone but individuals want it to be those and so we do all of that. We're talking about 40 million dollars in

new borrowing.

MR. GRECCO:

Forty million in new appropriations.

LEGISLATOR BINDER:

Right, this year.

MR. GRECCO:

Yes.

LEGISLATOR BINDER:

And 40 million, it translates to Jim, in terms of debt service that would start this year? You know each year or starting next year, whatever?

MR. SPERO:

It's over twenty years 40 million dollars would be about 60, 65 million in debt service divided by twenty. Just to give you an average number of what it might be, a couple of million dollars.

LEGISLATOR BINDER:

About 3 million, somewhere near 3 million dollars.

MR. SPERO:

It starts higher and then it's lower, because of the way the debt is usually structured.

LEGISLATOR BINDER:

So it might be -- well that's important too, because you're right, it's front-loaded. So it's probably going to be more than 3. So it could be, let's say 4 or 5 million dollars a year we're talking. I just want to bring it down to what we're talking about. We're talking about right -- taxpayer costs 5 million dollars a year, this year. Should we go ahead and buy more than the amount that we're currently allocated for?

MR. ISLES:

The amount, as you said before Mr. Binder, is 29 million but you mentioned that -- just so you know on that, if we have to spend the 20 million dollars that we're talking about in the Greenways Program by 2006, one question to weigh against that would be what's the cost of that land today? What's the cost of that land in 2006?

LEGISLATOR BINDER:

Except that -- I mean the assumption is pure appreciation, except for the fact that we've been in a boom market. And we've also seen, when we've been in a boom market where it's been followed by a bust market and well, it's always possible. And when you've got land values at their highest points, it is not impossible to imagine that they would be at lower points in the future. In other words, if future buying comes. That's what happened. We actually got

caught in the boom and bust and we actually ended up paying higher prices early and then having prices that we could have paid lower and in the future depressed market. Sure, so you can't ask the -- I know you'd like to ask the question, I just don't think its reasonable to ask, because we don't know.

MR. GRECCO:

It's paradoxical to the extent that in a bad market though the prices go down. We're also taking sales tax receipts in at a lower amount too. So it's almost -- we're going up and down proportionately. In a good market, when the prices are going up, we're collecting a lot of sales tax. In a bad market, we're not collecting that much sales tax, so we're almost -- no matter where you're looking at it --

LEGISLATOR BINDER:

That's in terms of the --

MR. GRECCO:

Sales tax generated funds, yes.

LEGISLATOR BINDER:

Right but that's in terms of the pay as you go type money. The other 30 million is in terms of taxpayers funds to pay for debt service that we will incur. And as you said, as Jim said, is front loaded into earlier years when we're right now debating and discussing raising people's taxes. I mean it's --

CHAIRMAN BISHOP:

I disagree with it.

LEGISLATOR BINDER:

And that's something you have to look at.

CHAIRMAN BISHOP:

To the --

LEGISLATOR GULDI:

Next year it will be 75.

LEGISLATOR ALDEN:

But George, then you can ask the question like how much today to buy the whole eastern half of Suffolk County and shouldn't we do that now?

LEGISLATOR GULDI:

Absolutely.

LEGISLATOR ALDEN:

Well personally, I don't have that sense of great wealth.

LEGISLATOR BINDER:

And we'll tax the areas where we buy it from now. We'll do like assessment taxes. We should do it an assessment tax.

CHAIRMAN BISHOP:

It's a little bit longer than I anticipated.

LEGISLATOR BINDER:

Where they do road assessments in certain places, you can assess when we buy areas where we --

CHAIRMAN BISHOP:

To the agenda, gentlemen and ladies.

LEGISLATOR FISHER:

Are we going to go to the agenda?

LEGISLATOR FIELDS:

Are we going to get a presentation on the new program by Mr. Isles soon?

CHAIRMAN BISHOP:

Next time.

LEGISLATOR FIELDS:

Could we promise to get that on the agenda?

CHAIRMAN BISHOP:

Of course, it's on the agenda. Next time, we'll have a presentation about the Water Quality Protection Programs.

LEGISLATOR FIELDS:

That's a promise? Thank you.

CHAIRMAN BISHOP:

More than a promise. It's a fact. To the agenda, where we can continue these debates, if we like. 1346 is a new resolution authorizing planning steps for acquisition of Suffolk County Land Preservation Partnership Program, Fuchs property in Northport.

LEGISLATOR BINDER:

Before, Mr. Chairman?

CHAIRMAN BISHOP:

This is planning steps only, correct?

LEGISLATOR BINDER:

Mr. Chairman, before -- wait Mr. Chairman, before I left my office and actually I didn't bring it, I meant to, there was a fax. I think Legislator Cooper withdrew all the Fuchs resolutions. For all of them.

CHAIRMAN BISHOP:

This is planning steps only.

LEGISLATOR FISHER:

Planning steps you don't need.

CHAIRMAN BISHOP:

This is planning steps for a 19.3 acre parcel, Northport owned by Sophie and Bertram Fuchs with the planning steps to be under the Land Partnership Preservation Program based on this land continuing a freshwater marsh and unplanted slope forest in a high plateau area. It borders the Crab Meadow Watershed next to the Jerome Ambro Memorial Water Wetlands Preserve. So it's land adjacent to a County Preserve.

LEGISLATOR ALDEN:

It's a marsh.

CHAIRMAN BISHOP:

Right. That is asking for planning steps only. So it's not a commitment.

LEGISLATOR ALDEN:

Okay but it sounds like a marsh, right? Jim?

MR. BURKE:

There is a home on it that the Town of Huntington would be looking to actually purchasing it. It's like a state house actually with a carriage house and garage. The {topo} which is higher than street level and then it slopes down to the marshland. There is a pond on it, a freshwater pond on the property and trails and what not that the public has been using it.

LEGISLATOR ALDEN:

Do you know what the zoning is on that?

CHAIRMAN BISHOP:

I think his point is -- right, his point is usually that the town zoning prevents development, so we're buying something that already can't be developed.

MR. BURKE:

There's a lot of upland property on this. This is probably a yield of about thirteen. If it's 1 acre zoning, I think it's about thirteen -- you can get about somewhere between ten and thirteen houses, lots on this property.

LEGISLATOR ALDEN:

Even with the pond and the marshland?

MR. BURKE:

That's down -- there's a significant amount of upland property on the property.

LEGISLATOR ALDEN:

And is there a zoning application, do you know?

MR. BURKE:

No, there is heavy development. There's a heavy interest by developers on

this property.

LEGISLATOR ALDEN:

Interest, you mean guys riding by there every day looking at it or -- okay.

MR. BURKE:

There's offerings on the property. What I know is there are offers on the property.

LEGISLATOR BINDER:

Can we get a copy of some of the written offers, so we can see that there are offers on the property?

CHAIRMAN BISHOP:

How would we have that, to begin with?

LEGISLATOR FIELDS:

Motion to approve.

MR. BURKE:

The town negotiates --

LEGISLATOR FISHER:

Second.

MR. BURKE:

They have presented that there is offers on the property.

CHAIRMAN BISHOP:

I have a motion to approve by Legislator Fisher, second by Legislator --

LEGISLATOR FIELDS:

Fields, Fields.

LEGISLATOR FISHER:

Either way, we'll move --

CHAIRMAN BISHOP:

Motion to approve by Legislator Fields, excuse me, second by Legislator Guldi. All in favor? Opposed? Note the opposition of Legislator Binder and Alden.

INTRODUCTORY PRIME:

I.R. NO. 1346 Authorizing planning steps for acquisition under the Suffolk County Land Preservation Partnership Program. (Fuchs Property in Northport) Town of Huntington (Legislator Jon Cooper)

VOTE: 5-2-0-0 APPROVED

CHAIRMAN BISHOP:

Okay. 1352.

MR. ISLES:

Just one quick comment. The sixth resolve clause refers to active recreation, which probably should be changed. That's all. Because it's not coming in under active recreation.

CHAIRMAN BISHOP:

Motion to reconsider by myself, second by Legislator Fields. I think -- well, hold on. We'll wait for counsel to come back because maybe there's a corrected copy file. I'll withdraw my motion to reconsider.

LEGISLATOR FISHER:

The sixth resolved I don't see anything about active -- I don't see that Tom, in the sixth resolve.

MR. ISLES:

Maybe it is changed.

LEGISLATOR FISHER:

We may have a corrected copy.

CHAIRMAN BISHOP:

You know Isles; you're often doing this with us.

MR. ISLES:

The sixth resolve clause, the second paragraph.

CHAIRMAN BISHOP:

Counsel Sabatino; please report to the horseshoe.

LEGISLATOR FISHER:

What's the date on yours Tom?

MR. ISLES:

4/24/01.

LEGISLATOR FISHER:

So is ours. But this is 1347, 46 rather.

MR. ISLES:

Yes.

LEGISLATOR FISHER:

Here it is. If not acquired for active parklands purposes, I was looking at 47, I'm sorry.

CHAIRMAN BISHOP:

Okay. Is 46 -- counsel, welcome back. Don't ever leave us again. 1346.

MR. SABATINO:

It's corrected copy day and we're trying to meet the deadline.

CHAIRMAN BISHOP:

I understand.

MR. SABATINO:

1346. These are planning steps.

CHAIRMAN BISHOP:

We've gone over that. The question specifically is that there is a resolve clause six, allegedly says active Parkland Greenway.

MR. ISLES:

It's just a little misleading we think. We just wanted to bring it to your attention.

CHAIRMAN BISHOP:

This might be ripe for a technical correction.

LEGISLATOR FISHER:

Second paragraph.

MR. SABATINO:

What happened here is because he's got three different resolutions trying to do it under, let's see three programs, one is land preservation, one is pay as you go and the other one is active parklands. So the reason it was done that way is because you know it's going to be -- it's 1346, 47 and 48 have to all be read together because he's trying to do --

LEGISLATOR FISHER:

The resolution --

LEGISLATOR GULDI:

Forty-seven please?

MR. SABATINO:

Just now?

LEGISLATOR FISHER:

April 30th.

MR. SABATINO:

But we never got notified. We weren't notified. So he withdrew 47 and 48?

CHAIRMAN BISHOP:

Can I see the copy you're reading from? No, I can see it, okay.

MR. SABATINO:

If he withdrew the other bills, 47 and 48 and 49, then we'll make the change. Well with the other ten corrected copies we do, we'll make the change.

CHAIRMAN BISHOP:

I have a copy in the fourth resolve clause. Legislators, who have a copy before them, it says Land Partnership Preservation Program. All right, so then it's correct, is it not? What's the part that renders an incorrect?

LEGISLATOR FISHER:

The second paragraph with the sixth resolve does not apply it for active parklands. It says the property will most likely be developed.

CHAIRMAN BISHOP:

Okay.

MR. SABATINO:

But the reason that was done was because --

CHAIRMAN BISHOP:

Al right, then that can be corrected.

MR. SABATINO:

We'll correct that before I leave tonight, right. Now that I know the other bill has been withdrawn.

CHAIRMAN BISHOP:

It stands approved. Sorry for the delay. 1352 approving acquisition under Suffolk County Farmland Preservation Program, East Moriches Farm Property, Town of Brookhaven.

LEGISLATOR CARACCILO:

Do we have a town board resolution?

LEGISLATOR BINDER:

What did we do with 47?

CHAIRMAN BISHOP:

It's approved.

LEGISLATOR BINDER:

I'm against it.

CHAIRMAN BISHOP:

You're against it. You didn't have to revote it.

MR. SABATINO:

This is only planning steps. I thought you went back. Where are you?

LEGISLATOR FIELDS:

1352.

MR. GRECCO:

May I? It's an amendment. If you look at the actual 1352. We have a resolution approving it.

MR. SABATINO:

Right but --

MR. GRECCO:

This is a resolution which amends the earlier one, which tells us for what purpose we're buying it and that would be for our Open Space under the Land Preservation Partnership.

MR. ISLES:

We have a little bit of an issue with this one.

CHAIRMAN BISHOP:

This is a previously approved resolution.

LEGISLATOR BINDER:

Tom, could you tell me what your respond is or clarify? Tom could you tell me what your issue is?

MR. ISLES:

The only point to make on this one is that it's under the Open Space Preservation Program. It would typically come off of the 1986 Open Space List. There's another category here of other parklands under Section E that if you come in under that. So that's the only point. If it comes in under the Open Space Preservation Program, it would require trustees approval so -- and I'll defer to counsel on all that but --

CHAIRMAN BISHOP:

Is this previously acquired? It's just clarifying its use?

MR. GRECCO:

We did a resolution approving the acquisition of this under Land Preservation Partnership. The problem with the original resolution is we did not state the purpose. So the purpose, the reason, the rationale of this resolution amending it is to say it's for Open Space purposes and we have a town -- yes, we have an acceptance. We are ready to go. The only question, Mr. Isles raised is deals with the issue of the Parks Trustees, if I'm correct.

MR. ISLES:

Trustees in the category open other parklands that's all.

LEGISLATOR BINDER:

They need; in this case, do they need to talk -- to pass on whether we can amend it for this particular purpose?

MR. ISLES:

The trustees would have to give the sign off to this.

LEGISLATOR BINDER:

So that's a question for counsel.

LEGISLATOR GULDI:

Counsel?

MR. SABATINO:

Fire away.

LEGISLATOR GULDI:

If the approval of the Parks Trustees is required through this amendment, is that a pre-condition to the adoption of the amendment or can it be done subsequently as readily as prior?

MR. SABATINO:

It's not a condition precedent.

LEGISLATOR GULDI:

If it's not a condition precedent and it's determined and it's required, it could be attained at any time. Motion to approve.

CHAIRMAN BISHOP:

Motion and a second. All in favor? Opposed? Opposed Legislator Binder.

I.R. NO. 1352 Amending Resolution No. 838-2000 approving acquisition under Suffolk County Land Preservation Partnership Program (East Moriches Farm Property) Town of Brookhaven (Legislator George Guldi)

VOTE: 6-1-0-0 APPROVED

CHAIRMAN BISHOP:

1360 authorizing planning steps for implementing Greenways Program in connection with acquisition of active parklands at Miller Place, Legislator Haley. Planning steps only, I assume?

MR. SABATINO:

This is planning steps only, so there's no need for the town resolution.

CHAIRMAN BISHOP:

How many acres?

MR. SABATINO:

Seventy-six.

CHAIRMAN BISHOP:

Seventy-six acres?

MR. ISLES:

Yes, out of 103-acre parcel.

MR. GRECCO:

This property is on the south side of Route 25A. It's called the Delalio Sod Farm.

CHAIRMAN BISHOP:

Oh, this is good.

MR. GRECCO:

No, it's a different -- there's a number of Delalio Sod Farms. This one is literally opposite Legislator Haley's Office.

LEGISLATOR BINDER:

Is this under --?

MR. GRECCO:

And the next one, it's an L shape. It comes down from Route 25A and the next one, which deals with Open Space goes to Miller Place, Yaphank Road is the number filed map lots.

LEGISLATOR BINDER:

Is it under the threat of development?

MR. GRECCO:

Yes, absolutely. I attended a meeting with the representatives of Delalio and they do have offers. I've expressed -- well it would give us an opportunity to look at this. We can potentially make you an offer.

CHAIRMAN BISHOP:

Mr. Grecco, one thing I don't understand is 76 acres for active parkland. That would render it a tremendous park. But I'm under the impression and I know for a fact that the Parks Department is seeking to take 10 acres in Babylon and make that the regional Soccer Park. Why would we -- well, let me direct this to Mr. Isles because this is a planning question. This seems perfect. This is big enough to accommodate everybody's soccer dreams regionally.

MR. ISLES:

As he pointed out, this is for planning steps. It will be required prior to acquisition. The resolution for acquisition would be the site plans. We'd actually see the layout and what they're proposing. You also need a town resolution, an environmental assessment, Parks Trustee's approval as well. So at this point, we don't know what the 76 acres are proposed to be used for.

LEGISLATOR CARACCILO:

I have a question. The resolution dealing with 1346, 19 acres in Huntington, which is very expensive real estate. There's probably an equal in terms of cost for the 76 acres here in eastern or central eastern in Brookhaven or close to it, Allan. I mean if you know -- with that said, we're going to go out and undergo appraisals. There's a cost associated with that. Approximately what is that cost for each of these parcels?

MR. GRECCO:

For appraisals? I'm saying about three thousand dollars per appraisal.

LEGISLATOR CARACCILO:

Okay. So it's not a tremendous amount of money. But then it comes back and it requires town board resolutions. Wouldn't it seem more logical that you get a sense from the town governments? If they're interested in going ahead and acquiring these properties jointly with the County but we buy the property, they develop the property. They maintain the property or some third party. It's kind of putting the cart before the horse here.

MR. GRECCO:

You don't necessarily need the town. Legislator Haley had spoken to one of the Soccer Leagues.

LEGISLATOR CARACCILO:

For 76 acres Allan? This is a lot of property. How far east of the Wedge is this property?

MR. GRECCO:

About four miles.

LEGISLATOR CARACCILO:

It's about four miles.

MR. GRECCO:

My guess is about four miles.

LEGISLATOR CARACCILO:

So we have a County that stretches some seventy-five miles, almost eighty miles, east to west and within four miles, we're going to consider buying additional 76 acres on top of 17 acres we've just purchased. What about the rest of this County for active parklands?

MR. GRECCO:

The Wedge doesn't have that many fields. It's only 17 acres. But I believe there's only two fields slated for the Wedge.

CHAIRMAN BISHOP:

We're not well behaved today.

LEGISLATOR BINDER:

Talk about the East End, how many constitute --

CHAIRMAN BISHOP:

All right, I'm going to --

LEGISLATOR BINDER:

To buy on the East End on the North Fork?

CHAIRMAN BISHOP:

I'm going to have to go on gavel alert. I'm going to have to obtain a gavel and start gaveling this meeting. All right, we have 1360 planning steps for 76 acres active recreation in Miller Place. Motion by whom?

LEGISLATOR CARACCILO:

I'll make a motion. If you want to do it, you should do it in Brookhaven.

CHAIRMAN BISHOP:

Is there a second from Legislator Fisher? Absolutely. All in favor? Opposed? I'm in favor but I will be discussing it with the Parks Department.

I.R. NO. 1360 Authorizing planning steps for the acquisition of land under pay as you go 1/4cent Taxpayer Protection Program (Miller Place, Town of Brookhaven) (Legislator Martin Haley)

VOTE: 7-0-0-0 APPROVED

CHAIRMAN BISHOP:

1361 is authorizing planning steps for acquisition under pay as you go 1/4 Cent Taxpayer Protection Program.

LEGISLATOR CARACCILO:

Explanation?

CHAIRMAN BISHOP:

This is the Open Space portion of the same parcel, if I'm not mistaken.

MR. GRECCO:

They also own a number of filed maps, small lots just to the west of this bounded by Miller Place, Yaphank Road and they -- because it's small lots and it's an assemblage of a number of different entities, they want to sell everything they have.

LEGISLATOR GULDI:

Motion.

CHAIRMAN BISHOP:

Motion by Legislator Caracciolo, second --

LEGISLATOR FISHER:

What's the total on this?

CHAIRMAN BISHOP:

A hundred and thirty acres.

LEGISLATOR FISHER:

No, a total of this separate.

MR. GRECCO:

I believe about 17 acres.

LEGISLATOR ALDEN:

On the motion?

MR. GRECCO:

I'm not really certain.

CHAIRMAN BISHOP:

I'm sorry. Yes 61 how many?

MR. SABATINO:

Eighty nine point thirty-nine acres.

CHAIRMAN BISHOP:

This is a huge, huge parcel.

LEGISLATOR ALDEN:

Mr. Chairman, on the motion?

CHAIRMAN BISHOP:

Yes, Legislator Alden.

LEGISLATOR ALDEN:

Tom, Commissioner Isles? I know you just recently took into your position and you're starting to get settled in but have you had an opportunity to look at where on Long Island would be appropriate to have actual housing in some kind of development and what areas we really want to preserve in their natural form? Have you been able to do that?

MR. ISLES:

In a real comprehensive way? No but in a general way, in terms of some of the ideas that have been talked about, some of the smart growth ideas, the idea for new housing as much as possible is within existing centers, existing communities and not out on open farmland and open space areas. That's just a general answer.

LEGISLATOR ALDEN:

How long do you think it's going to take you to do something that's kind of specific? Here's what I'm getting at.

MR. ISLES:

Please.

LEGISLATOR ALDEN:

Today, you know we have a number of resolutions before us. These are open space. There's been testimony that they are under pressure to be developed. I would like to get a sense of whether you know maybe this should be developed and other areas should be preserved. So we can balance this out a little bit better. Approximately how long would it take you to actually come up with a fairly comprehensive overview?

MR. ISLES:

Well countywide, we'd take a while, believe me. If you would like us to look at it in relation to this area where we have these two resolutions before you, we could do something a lot quicker on that.

LEGISLATOR ALDEN:

Is this possible Tom? I don't know how much in advance you get these you know two days.

MR. ISLES:

Is that a Friday, yes.

LEGISLATOR ALDEN:

Okay, is it possible and it doesn't sound like it is but is it possible for you to give us some kind of an idea whether this fits into the general plan of where development should take place and where preservation should take place in those two days? Because that's about all the lead-time you're going to get on some of these. Is that doable?

MR. ISLES:

Two days doesn't give you too much time. But I think in this case, Legislator Haley had initiated -- it's probably before I even got here and I would hope in the future that I'd have a chance to participate. I know he did speak to real estate and they were helpful to guide this. But I think as I'm getting more acquainted with the County, if I have a chance to get the Planning Department involved as these ideas are coming about, then we could have better input back to you on those kind of questions.

LEGISLATOR ALDEN:

I'm going to make a suggestion to the Chairman that maybe, you know like if we put our heads together, we can come up with some kind of a workable situation whereby a review of these resolutions as to, you know where they fit in and whether they should be developed. Whether the recommendation of planning should be to preserve them or allow them to go to development. Maybe we can work out some kind of procedure on a review. Does that sound like something we could do?

CHAIRMAN BISHOP:

I'll tell you, why don't I ask you to put your -- formulate your idea and write

to --

LEGISLATOR ALDEN:

Your Congressman?

CHAIRMAN BISHOP:

No, write to Mr. Isles and copy the committee and we can use it as a --

LEGISLATOR ALDEN:

Good, okay.

CHAIRMAN BISHOP:

In other words, formulate the idea more fully.

MR. ISLES:

I just want to make a point too.

CHAIRMAN BISHOP:

On how you would propose something like this would occur. It would seem to me also that this is an enormous track of land and it is probably beyond our means to acquire the entire thing and to manage it. But we need the planning steps in order to acquire any portion of it, correct? So if we were interested in preserving part of it or using part of it for a park, an active park, we'd still need the planning steps, so it's --

LEGISLATOR FISHER:

I'm going to make a motion to table.

CHAIRMAN BISHOP:

All right. Is there a second from the right here? My left? Who wants to table it? There's a motion to table. Okay there's no second, fails for a lack of a second. Motion to approve by myself, second by Legislator Fisher. All in favor? Opposed? Planning steps are approved.

I.R. NO. 1361 Authorizing planning steps for the acquisition of land under pay as you go 1/4 Cent Taxpayer Protection Program (Miller Place, Town of Brookhaven) (Legislator Martin Haley)

VOTE: 7-0-0-0 APPROVED

CHAIRMAN BISHOP:

Why counsel, may I ask a question? I see a spate of resolutions asking for planning steps only. Why are Legislators blanching at the prospect of actually acquiring them and they just want to know what --

MR. SABATINO:

Well there's two reasons. One is that in the old days, prior to 1998, '99, it was always done on a two step basis. We always did planning steps first for all acquisitions and then we give the acquisitions. It was a much more controlled, much more precise process. To the extent that we deviated from

that process, we went with the Omnibus approach. I think there's a sense of coming back for two reasons. One, it worked in the old days and secondly, because of the scarcity of resources, it helps to prioritize.

CHAIRMAN BISHOP:

And do you guide that sense of nostalgia? Or is that they're just generous?

MR. SABATINO:

I give everybody the option, that's all.

CHAIRMAN BISHOP:

Emerge with it.

LEGISLATOR CARACCILO:

Question? How does it help with prioritizing it?

MR. SABATINO:

It helps to prioritize. Because what happens is when you're voting on the actual acquisition, we used to actually go into executive session. You had the appraisal and you had the survey. You knew what you were talking about with excruciating detail. You weren't doing what amounts to a more blanket type approach where there's twenty or thirty parcels hanging out there and you never actually voted to deal with the specifics. It was a different time. It was a different era. We're in a different time and a different era now, they're not necessarily one is better than another it's just a question of what your personal style and predilection is.

LEGISLATOR CARACCILO:

Mr. Grecco?

CHAIRMAN BISHOP:

Hold on. I cannot conceive of a question you're going to ask at this point.

LEGISLATOR CARACCILO:

Well it has to do with funding in active parklands. Because you're starting to talk about a lot of acreage.

CHAIRMAN BISHOP:

We are in the middle of the agenda.

LEGISLATOR CARACCILO:

Could he answer that question? Given what you see on this agenda and what's in the pipeline on active parklands, are we going above and beyond what's available, in terms of funding? I mean, if the answer to that is yes or we getting very close to it, then I think Legislators have to be put on notice that you can put these resolutions in but the reality is, we're probably not going to acquire this property because we won't have the money for it.

MR. GRECCO:

Yes, remember the active Parks Greenways Fund is a limited fund. It's not

going to get additional --

LEGISLATOR CARACCILO:

Right, it's 20 million dollars.

MR. GRECCO:

So chances are if you -- if this transaction is consummated and another one, which I'm thinking of on the south shore, it will probably take up the balance of the fund.

LEGISLATOR CARACCILO:

Now Mr. Chairman, that would lead to the conclusion that in the future, this committee should not consider additional resolutions and waste taxpayer's money for --

CHAIRMAN BISHOP:

Hold on, before you close out the program Legislator Caracciolo, let me make the point. That there's no way that there's going to be an 85-acre active park. It's just -- it's inconceivable that the Town of Brookhaven is going to operate. So what this probably is, is Legislator Haley has a request from his constituency to preserve the property and he puts in blanket resolutions. Just like other Legislators have done, where they seek to hide an Open Space or cloak an Open Space purchase as an active recreation and it's this committee's job to let them know that they are not going to be able to do that. And that the only way that you spend active recreation money is, if you produce something in the end that is active recreation. So I don't think that we're going to blow through it with this one parcel because it's not going to --

LEGISLATOR CARACCILO:

While I would agree with some of what you said, I would point out that it's also the responsibility of this committee to make certain that we don't unnecessarily expend taxpayer resources for acquisitions that we know we are not going to be able to consummate because of lack of funding.

CHAIRMAN BISHOP:

Let's say, I'd be rather hypercritical.

LEGISLATOR CARACCILO:

It's not too difficult to understand.

CHAIRMAN BISHOP:

Let's say we want to take -- there's an enormous parcel in Miller Place, 120 acres I guess it's the total and we want to take 20 acres for a park. We would still need the planning steps. So whether the planning steps are written under a resolution, which envisions 130-acre park or a 10-acre park, it's still planning steps that we can use, therefore --

LEGISLATOR CARACCILO:

Again, I would agree except for the appraisal cost would be less if you were only appraising 20 acres. No? It would be the same?

MR. GRECCO:

No, no. The appraisal cost would probably be about the same.

LEGISLATOR CARACCILOLO:

Okay. Then I'm more comfortable with that. Thank you.

CHAIRMAN BISHOP:

The same thing with the next one here. 1362 authorizing planning steps for acquisition under --

LEGISLATOR FISHER:

Motion.

CHAIRMAN BISHOP:

Pay as you go for Quarter Cent Protection Program.

LEGISLATOR FISHER:

Motion.

CHAIRMAN BISHOP:

Motion by Legislator Fisher, I'll second it. Legislator Fisher obviously is thinking about running in Babylon. She's eager to make the motion.

LEGISLATOR FISHER:

I'm sorry. No, I'm eager to watch my --

CHAIRMAN BISHOP:

All in favor? Opposed? 1362 is approved.

I.R. NO. 1362 Authorizing planning steps for the acquisition of land under pay as you go 1/4 Cent Taxpayer Protection Program (Land of Gustave J. Wade, Wheatley Heights, Town of Babylon) (Legislator Maxine Postal)

VOTE: 7-0-0-0 APPROVED

CHAIRMAN BISHOP:

1363 is authorizing the acquisition of development rights to farmland, same parcel or next door.

MR. SABATINO:

This one requires a town -- I'm sorry, this requires a Farmland Select Committee recommendation.

CHAIRMAN BISHOP:

Okay, motion to table.

LEGISLATOR CARACCILOLO:

Second.

CHAIRMAN BISHOP:

Second by Legislator Caracciolo.

I.R. NO. 1363 Authorizing the acquisition of development rights to Farmlands by the County of Suffolk of property in Wheatley Heights (Pay as you go 1/4 Cent Taxpayer Protection Program. (Legislator Maxine Postal)

VOTE: 7-0-0-0 TABLED

CHAIRMAN BISHOP:

Ms. Dillon, you'll inform Legislator Postal of what's missing? Thank you. 1368 appropriating funds for the acquisition of certain environmentally sensitive parcels under the Suffolk County Open Space Preservation Program. It requires an explanation.

MR. GRECCO:

Mr. Chairman, if you look at my sheet that I gave you, front page? The one with the balances on it, all right? If you give me the two million dollars --

CHAIRMAN BISHOP:

Oh this is the request for the two million, okay. What happened?

LEGISLATOR CARACCIOLO:

We got it.

CHAIRMAN BISHOP:

We got it. We got it. We did it. Good, I guess.

LEGISLATOR CARACCIOLO:

Motion.

CHAIRMAN BISHOP:

Open Space under the Capital Budget. Motion by Legislator Fisher, second by Legislator Fields. All in favor? Opposed? I just pick them arbitrarily.

I.R. NO. 1368 Appropriating funds for the acquisition of certain environmentally sensitive parcels of land under the Suffolk County Open Space Preservation Program. (CP 7144) (County Executive)

VOTE: 6-1-0-0 APPROVED

CHAIRMAN BISHOP:

1370 appropriating funds in connection with Land Partnership Preservation.

LEGISLATOR CARACCIOLO:

Motion.

CHAIRMAN BISHOP:

Motion by Legislator Caracciolo, second by Legislator Guldi. All in favor?
Opposed? That one sailed right through.

**I.R. NO. 1370 Appropriating funds in connection with the Land
Preservation Partnership with the Suffolk County Towns. (CP 7174)
(County Executive)**

VOTE: 7-0-0-0 APPROVED

CHAIRMAN BISHOP:
1371 appropriating --

LEGISLATOR FIELDS:
Motion to table. Isn't this the one we talked about for Pine Barrens?

LEGISLATOR FISHER:
No.

MR. GRECCO:
No.

LEGISLATOR CARACCILOLO:
Farmland.

CHAIRMAN BISHOP:
This is farmland.

LEGISLATOR FIELDS:
Okay, I take that back.

CHAIRMAN BISHOP:
Appropriating funds in connection with the acquisition of Farmland
Development Rights. Motion by Legislator Caracciolo, second by Legislator
Guldi. On the motion before the vote is called, Legislator Alden is recognized.

LEGISLATOR ALDEN:
This is what was put in last year?

MR. GRECCO:
This is the 5 million that was in the Capital last year.

LEGISLATOR ALDEN:
Last year.

MR. GRECCO:
And Capital this year. Yes.

CHAIRMAN BISHOP:
All in favor? Opposed? Note Legislator Binder's opposition.

I.R. NO. 1371 Appropriating funds in connection with the acquisition of Farmland Developmental Rights by Suffolk County Phase V (CP 8701) (*County Executive*)

VOTE: 6-1-0-0 APPROVED

CHAIRMAN BISHOP:

1411 is directing County Department of Public Works to prepare a list of tributaries within the South Shore Estuary Preserve. Counsel could you just -- you have the changes that were made today?

MR. SABATINO:

The corrected copy was just filed about fifteen, twenty minutes ago, which is to change the -- to insert the correct designation of the reserve not the preserve with regard to developing a list and also changing language to state that the --

CHAIRMAN BISHOP:

You better use the list that's already --

MR. SABATINO:

Which will be developed by working with the State Department, the Secretary of State.

CHAIRMAN BISHOP:

The Secretary of State already has the list. Okay, thank you. I appreciate your Herculean efforts to get that out so quickly. 1411 motion by Legislator Fields, I'll second it. All in favor? Opposed? 1411 is approved and I thank Legislator Fields for her co-sponsorship and help.

I.R. NO. 1411 Directing County Department of Public Works to prepare list of tributaries within South Shores Estuary Preserve. (*Legislator David Bishop*)

VOTE: 7-0-0-0 APPROVED

CHAIRMAN BISHOP:

Moving to --

MR. SABATINO:

Mr. Chairman, before you jump ahead, there was just a mistake that was made in the assignment of legislation by my office. 1359 does belong in your committee. The change was made today. There was not time for you to get it on your agenda but just to get on, at least, get on the record if you want to table it. But just so it shows up on your committee. It's a bill to require adherence to federal standards for mercury test. If you could just get it on your agenda, if you want to table it, so you get a chance to look at it then.

CHAIRMAN BISHOP:

Motion to table by Legislator Binder, second by Legislator Alden. All in favor? Opposed?

I.R. NO. 1359 Requiring adherence to Federal Standards for mercury testing in Suffolk County.

VOTE: 7-0-0-0 TABLED

CHAIRMAN BISHOP:

CEQ 24 through 34. How do we want to do these? So should I call them out one at a time? 2401 proposed SEQRA Classifications of Legislative Resolutions laid on the table April 3rd. Motion by Legislator Binder, second by Legislator Guldi. All in favor? Opposed? 24 is approved.

CEQ RESOLUTIONS:

NO. 24-01 Proposed SEQRA Classifications of Legislative Resolutions Laid on the Table April 3, 2001.

VOTE: 7-0-0-0 APPROVED

CHAIRMAN BISHOP:

CEQ 25 is proposed repairs and upgrade of the Dennison Building. Type II action.

LEGISLATOR CARACCILO:

Explanation?

CHAIRMAN BISHOP:

Explanation.

MR. BAGG:

The project involves the installation or lighting protection system providing emergency power to the building, HBAC Control System, re-circuitry feeders in the main switchboard to better balance the electrical load. Modernization of the low --

CHAIRMAN BISHOP:

Is this part of the Capital Budget? It is? Motion by Legislator Binder, second by Legislator Caracciolo. All in favor? Opposed? 25 is approved.

I.R. NO. 25-01 Proposed Repairs and Upgrade of Dennison Building. C.P. #1659, Town of Islip, Type II Action.

VOTE: 7-0-0-0 APPROVED

CHAIRMAN BISHOP:

26 proposed upgrade of Riverhead County Center Power Plant. Same

project. Motion by Legislator Guldi, second by Legislator Caracciolo. All in favor? Opposed? 26 is approved.

I.R. NO. 26-01 Proposed Upgrade of Riverhead County Center Power Plant, Town of Southampton. Type 11 Action.

VOTE: 7-0-0-0 APPROVED

CHAIRMAN BISHOP:

27 proposed construction of Class "A" Training Building, Town of Brookhaven. Motion by Legislator Fisher, second by myself. All in favor? Opposed? 27 is approved.

I.R. NO. 27-01 Proposed Construction of Class "A" Fire Training Building of Brookhaven. Type 11 Action.

VOTE: 7-0-0-0 APPROVED

CHAIRMAN BISHOP:

28 proposed storm water and remediation of Santapogue Creek at County Road 96 and County Road 12, Town of Babylon. Motion by myself, second by Legislator Binder. All in favor? Opposed? 28 is approved.

I.R. NO. 28-01 Proposed Storm Water Remediation of Santapogue Creek at C.R. 96 and C.R. 12, Town of Babylon - Unlisted Action - Negative Declaration.

VOTE: 7-0-0-0 APPROVED

CHAIRMAN BISHOP:

29 is proposed alternate sludge processing at Suffolk County Sewer District Number Three, Town of Babylon. Motion by Legislator Alden, second by Legislator -- is there a second?

LEGISLATOR BINDER:

Yes.

CHAIRMAN BISHOP:

Second by Legislator Binder. All in favor? Opposed? Put me down as an abstention please.

29-01 Proposed Alternate Sludge Processing at Suffolk County Sewer District No. 3, Southwest, Town of Babylon - Unlisted Action - Negative Declaration.

VOTE: 6-0-1-0 APPROVED

CHAIRMAN BISHOP:

30 a proposed reconstruction of Shinnecock Canal Locks, phase IV, Type II. Motion by Legislator Guldi, second by Legislator Caracciolo. All in favor?

Opposed? 30 is approved.

30-01 Proposed Reconstruction of Shinnecock Canal Locks, Phase IV, C.P. #5343, Town of Southampton, Type 11 Action.

VOTE: 7-0-0-0 APPROVED

CHAIRMAN BISHOP:

31 is proposed intersection improvements to County Road 80, Montauk Highway at East Tiana Road/Bellows Pond Road, Town of Southampton, unlisted action, neg/dec. Motion by Legislator Guldi, second enthusiastically by Legislator Binder. All in favor? Opposed? 31 is approved.

31-01 Proposed Intersection Improvements to C.R. 80, Montauk Highway at E. Tiana Road/Bellows Pond Road, C.P. #5045, Town of Southampton, Unlisted Action - Negative Declaration.

VOTE: 7-0-0-0 APPROVED

CHAIRMAN BISHOP:

32 proposed intersection improvements County Road 80, County Road 31, Old County Road, Riverhead. Everything is on the East End. Type 11 action. Motion by Legislator Caracciolo, second by Legislator Guldi. All in favor? Opposed?

32-01 Proposed Intersection Improvements to C.R. 80, Montauk Highway at C.R. 31, Old Riverhead Road, C.P. #3301, Town of Southampton, Type 11 Action.

VOTE: 7-0-0-0 APPROVED

CHAIRMAN BISHOP:

33 proposed improvements at Victory Drive at River Road, Town of Brookhaven.

LEGISLATOR FISHER:

Motion.

CHAIRMAN BISHOP:

An unlisted action. Motion by Legislator Fisher, second by Legislator Fields. All in favor? Opposed? 33 is approved.

33-01 Proposed Improvements on Victory Drive at River Road, C.P. #5112, Town of Brookhaven - Unlisted Action - Negative Declaration.

VOTE: 7-0-0-0 APPROVED

CHAIRMAN BISHOP:

34 proposed intersection improvements, County Road 19, Patchogue,

Holbrook Road at Old Waverly Avenue in Patchogue, unlisted action neg/dec.
Motion by Legislator Fisher, second by Legislator Guldi. All in favor?
Opposed?

34-01 Proposed Intersection Improvements on C.R. 19, Patchogue-Holbrook Road at Old Waverly Avenue, C.P. #5040, Patchogue, Town of Brookhaven - Unlisted Action - Negative Declaration.

VOTE: 7-0-0-0 APPROVED

CHAIRMAN BISHOP:

And that concludes our CEQ calendar. Tabled resolutions have been tabled for today's meeting. Motion on 1021 is a motion to table subject to call by myself. In light of the Sense Resolution and the proposed State action, second by Legislator Caracciolo. All in favor? Opposed? 1021 is tabled subject to call.

TABLED PRIME:

I.R. NO. 1021 Adopting Local Law No. 2001, a Charter Law to authorize law interest borrowing for land and water protection under the 1/4% Cent Environmental Protection Program. (Legislator David Bishop)

VOTE: 7-0-0-0 TABLED SUBJECT TO CALL

CHAIRMAN BISHOP:

1024 a Charter Law authorizing payments in lieu of taxes. You continue to hold us over head Michael. What are you doing with this?

LEGISLATOR CARACCIOLO:

Wait until I bring in all the letters from the school districts and your districts.

CHAIRMAN BISHOP:

Motion to approve for the purpose of defeat by Legislator Alden, second by Legislator Binder. All in favor? Opposed?

LEGISLATOR CARACCIOLO:

Opposed.

LEGISLATOR GULDI:

Opposed.

LEGISLATOR CARACCIOLO:

Thank you George.

CHAIRMAN BISHOP:

Do you really want --

LEGISLATOR GULDI:

We have an obligation to consider it seriously, debate it in due course. When he's ready to move it, we'll vote it on the merits. At the moment, he's looking to table it. I'll second his motion.

CHAIRMAN BISHOP:

All right. Motion by Legislator Caracciolo, second by Legislator Guldi. All in favor? Opposed to tabling, myself, Legislator Binder, Legislator Alden. Anybody else? Okay. You're going to create a lot of trouble.

I.R. NO. 1024 Adopting Local Law No. -201, A Charter Law to authorize payments in lieu of taxes (pilots) for Suffolk County Community Greenways Fund. (Legislator Michael Caracciolo)

VOTE: 4-3-0-0 TABLED

CHAIRMAN BISHOP:

Don't say we didn't warn you. 1034 establishing Suffolk County Aquaculture Committee in connection with the IFMS programmatic dispute.

LEGISLATOR GULDI:

Actually the caption should be changed but the resolution has been amended. Counsel did you get an opportunity to make the changes I gave you Friday and file those?

MR. SABATINO:

It's been done. It's one of the corrected copies filed today.

LEGISLATOR GULDI:

Fine. I'll make a motion to approve.

LEGISLATOR FIELDS:

Can we have --?

CHAIRMAN BISHOP:

We've always deferred an explanation of this. You're always re-jigger it.

LEGISLATOR GULDI:

Okay, it's been {re-jiggerd} substantially. What it does in it's {re-jiggerd} version is, it includes actually the amendments made yesterday were inclusion of a number of members in the committee at the suggestion of the County Executive's Office and staff. The objective of the committee is to deal with the issue of the ancient County jurisdiction over Acquaculture beds in the Sound and the Peconic area and determine the extent of jurisdiction and the policy direction that the County should take in exercising that jurisdiction to make recommendations to come back to this legislative body. It is an {investigatory} non-committee body to perform the work to deal with the technical area, to deal with the technology and what was the -- I didn't hear you?

CHAIRMAN BISHOP:

Second by Legislator Binder but --

LEGISLATOR FIELDS:

But can I ask Mr. Isles a question?

CHAIRMAN BISHOP:

Yes and I have a question as well and Mr. Isles will -- was that your question? Okay. Go ahead.

MR. ISLES:

Well the only point I wanted to make is that the committee may be aware that this matter is in litigation right now. The County --

LEGISLATOR GULDI:

We are quite -- the County Attorney has looked at it and revised the bill, suggested revisions to the bill and I have incorporated those.

MR. ISLES:

So the County is the defendant in the litigation. The County Attorney was originally part of the committee. They've been bounced off. The County Treasurer has been bounced off. And the point I would just like to make is that when I spoke to the County Attorney's Office representative and asked him well, if we're going to conduct this committee and the Director of Planning will be the Chairman, what is the domain that we can talk about and not involve problems with the litigation? The resolution talks about the fact that the committee must visit the general questions in reference to Suffolk County's role under Chapter 990 the laws of 1969, which gave the County the authority to lease properties in the Peconic and Gardiners Bay areas, subject to doing surveys and doing a whole series of work prior to that. So that whole point, if we read the litigation right now, all of the litigation extensively discusses the laws of 1969, Chapter 990.

So I guess, when I spoke to the County Attorney's Office about that, they indicated that the department would not be able to make any statements as to fact or opinion regarding this matter. So the only point I would make is that we would be extremely cautious, in terms of the department's standpoint in conducting this committee. We would certainly do so, if directed by the Legislature. But I would just question how much value would come out of it if we can't tread into the litigation area and we'd have to be really cautious on that.

LEGISLATOR GULDI:

Actually it's not a question of caution at all. It's actually rather simple. The purpose of the committee is to ask questions and take testimony, not make admissions by the County. The committee has been structured to that end. The only thing you need to do is investigate and this is the only person who can hurt themselves and that is anyone who is claiming against the County, since we're listening to them and not making admissions. That's the way the

litigation has been -- the legislation has been {re-casted} at the request of the County Attorney.

CHAIRMAN BISHOP:

Can I ask? What I don't understand is, the question, the fundamental question is who has control over the bay bottom?

LEGISLATOR GULDI:

It's actually more complex than that.

CHAIRMAN BISHOP:

And you put --

LEGISLATOR GULDI:

It's more complex than that. There's two layers of State Legislation and there is 30 years of history necessary to begin to answer that question. Rather than deal with that question, what I want this committee to do is look at the technology, look at the industry. Determine what our policy goals are and determine whether the County should exercise its jurisdiction whatever that might be and determine what that might be or abdicate it to the New York State.

CHAIRMAN BISHOP:

Excuse me?

LEGISLATOR GULDI:

I'm in the middle of a sentence.

CHAIRMAN BISHOP:

So you're not --

LEGISLATOR GULDI:

Or abdicate it to the New York State and let the DEC control what goes on both in Aquaculture and in business in our bays.

LEGISLATOR ALDEN:

Mr. Chairman?

CHAIRMAN BISHOP:

Where's Legislator Binder? Legislator Alden.

LEGISLATOR ALDEN:

That's substantially different than what you just said, as far as holding hearings. You mentioned determine of policy and that's substantially different George.

LEGISLATOR GULDI:

No it's not. Because unlike some people, I don't think you determine policy in a vacuum. I think the way you determine policy is you go acquire facts and you make fact-based determinations. The purpose of this committee is

fact finding, in order to make policy recommendations that would come back here. I'm repeating myself.

LEGISLATOR ALDEN:

You just said that they're going to make the fact -- I mean they're going to make findings of fact and they're also going to determine policy.

LEGISLATOR GULDI:

I didn't say that. I said they're going to conduct hearings to gather information.

LEGISLATOR ALDEN:

That's it?

LEGISLATOR GULDI:

And make recommendations to us. We make the policy. Is that correct counsel?

CHAIRMAN BISHOP:

This is in your district, right?

LEGISLATOR GULDI:

Counsel, is that correct? It's in -- it's actually arguably between mine and Legislator Caracciolo's district. Since it's under 30 feet of water, there are no residents as well to vote in any of the areas affected by this legislation.

CHAIRMAN BISHOP:

Since the two of you want it, I'm going to defer to the two who are affected by it and support it but --

LEGISLATOR ALDEN:

I mean from this committee, we really should -- if this is going to be Tom Isles doing this, then really you're going to have to follow, you know some guidance from the County Attorney's Office because we really don't want you going and treading into areas that are going to compromise a law suit and also we want to follow --

LEGISLATOR GULDI:

I will work closely with him. That's my intention.

LEGISLATOR ALDEN:

Okay.

LEGISLATOR GULDI:

It's my intention to shepherd this and look at it.

LEGISLATOR ALDEN:

And I'm going to vote on this and I'm going to rely on what Legislator Guldi

just said that you're strictly going to do fact finding by holding hearings.

MR. ISLES:

We're receiving testimony.

LEGISLATOR ALDEN:

You're receiving testimony. That's why I'm going to support this because on your -- well your --

MR. ISLES:

Calm down, calm down.

LEGISLATOR FIELDS:

What did Commissioner Isles just say? Wait, wait.

MR. ISLES:

I just want to clarify. We're going to receiving testimony in this committee and that's it. We're not going to be doing studies or anything like that.

MR. SABATINO:

The third resolve clause says you're going to take testimony, make findings or findings of fact as Legislator Guldi stated and make recommendations to the County Executive and the County Legislature. It's no different than other boards and commissions and task forces that we created. Quite frankly, I can't think of anything that the task force could do that would have any kind of an impact on litigation because the judge who is listening to the case probably has all the papers filed with him before, as of this date and quite frankly, the judge is not going to listen to the findings of --

CHAIRMAN BISHOP:

What if the task force concludes something that's contrary to what the County is arguing?

MR. SABATINO:

It's a recommendation from a task force. I mean it carries as much weight as somebody else's opinion.

LEGISLATOR ALDEN:

Well, I think you have enough votes right now just to pass it.

LEGISLATOR GULDI:

Yes but we could always listen to what Vito Minei has to say.

LEGISLATOR ALDEN:

Hopefully, he won't muddy the water, so to speak.

MR. MINEI:

Good afternoon. I'm Vito Minei. I'm Director of Environmental Quality for the Health Department. We hadn't commented on the prior version of this resolution, because it was limited to the tax arrears in question. It's about

the eight hundred thousand dollars and to the one project of the Aquaculture out near Gardiners Bay. Well, it seemed that way. One concern we have in the Health Department for one issue, if you're going to proceed with taking testimony and evaluating and assisting the Planning Department as we have is, number one, you might want to add a whereas clause to this resolution that the Peconic Estuary Program has recommended that a comprehensive Aquaculture plan be done for this area.

Number two, I think there are questions about the feasibility of implementing 1969, we have indeed been discussing that with the County Attorney's Office, with the Planning Department and the County Executive. And also there are indeed a lot of activities that are about to be undertaken, both survey work and underwater survey work, using side scan sonar and very sophisticated work to delineate the kind of bay bottoms we have. It's appropriate for Aquaculture, etc., to help delineate the activities. One question I would ask you, regardless of how you plan to proceed, I'll defer to Mr. Isles whether or not we should even take testimony is, if you are going to proceed, I would ask that you add the Commissioner of the Department of Health Services or her designee to that as we have a lot of activities related to the Peconic Estuary Program. I haven't seen the amended resolution. I don't think Commissioner Isles has either.

CHAIRMAN BISHOP:

Okay. All right, we'll skip over this and come back.

LEGISLATOR GULDI:

Vito, the questions you raise are questions that we would take up. Yes, the bay keeper, a number of people have asked to present and have a role in this. The industry is changing. The 1969 problematic standard about an expensive survey of bay bottoms may well be mooted by GPS technology, which is more accurate, cheap and immediately available, solving all of those problems requiring a word change for legislative action in this State, if that's appropriate or problematic. There are a million issues we need to deal with but I, as the one Legislator in the affected district, am not prepared to continue to pretend this problem or area doesn't exist and continue to do nothing in it. Let's figure out, get a handle on it and get going in some direction on it.

MR. ISLES:

So it's more than investigative or it's just accepting testimony. It's to figure out and get a handle on it, okay.

LEGISLATOR GULDI:

So we can decide what we should do.

MR. ISLES:

Just so you know, the cost of the survey that was done back in the 1980's, which was not done was 1.3 million. As a prerequisite to leasing any of the properties in the 1969 legislation required that the County do that survey. Granted, it may be cheaper now, it may be more expensive, I don't know.

LEGISLATOR GULDI:

And it may be totally irrelevant, unnecessary and inappropriate.

MR. ISLES:

And it's completely contained within the litigation until there's been strict compliance with Chapter 990 of the Laws of 1969. I don't really mind, except when I speak to the County Attorney, he says don't talk about that case. You can talk about anything else but don't talk about the case and that case is what we're looking at today with the committee.

CHAIRMAN BISHOP:

Okay, are you done? Can I ask counsel? You've got a new version for input in that Health Services be involved?

MR. MINEI:

There's one other point too. I believe the County Executive's Office is also investigating this.

CHAIRMAN BISHOP:

I always thought some departments were against resolutions but they want to be included. How many members do you have on there now? How many do you have on there?

LEGISLATOR GULDI:

I believe the membership, as it's proposed and one of the things I'm considering is suggesting is first that the Director of Planning or his designee who will serve as Chair.

LEGISLATOR FISHER:

Wait, wait, wait.

LEGISLATOR GULDI:

The Director of Planning or who will serve as Chair. A designee of the County Executive, the Treasurer is in. That's per Mr. Grier's suggestion yesterday. Economic Development representative, Public Works, Property Tax and then the Town of Southampton Supervisor designee, Southold Supervisor designee, Ways and Means Chair, East Hampton Town Supervisor, Riverhead Town Supervisor's designee, a representative of commercial waterfront interests, as designated by Eastern Supervisor's Association, Village of Greenport designee and the Peconic Baykeeper, fourteen members. That's the -- except that we have some other errors. We have some other errors in the bill, resolved that the seven members of the committee, although there are fourteen of them, so consequently a quorum. That's fine.

CHAIRMAN BISHOP:

No error. Never an error.

LEGISLATOR GULDI:

I mean, so Mr. Isles, if you're not comfortable Chairing it, you want me to Chair it, we can change the bill.

MR. ISLES:

Well that's not really the point. I'll do whatever the Legislature wants us to do. We would just raise the question that with the litigation, how fruitful this will be and if the answer is well, you going to accept testimony that we can do. How much we can go beyond that, we will be happy to go. We know it's an issue that's been a real problem and needs to be solved. We just want to feel comfortable that this effort and a years worth of work and the report that will have to come out of it is worthwhile, that's all. That's the only question we're making. We're not doubting the purpose and the intent as being a worthwhile purpose. We just hope that this is the one that gets there. I think Mr. Minei was going to make a point too about the County Exec's Office also undertaking some work and the same effort, as I understand it.

MR. MINEI:

Having not seen the amended resolution, I was hoping the County Exec's Office was represented, because I know --

LEGISLATOR GULDI:

If you -- add that list up, you'll find one representative of the Legislature, six representatives of towns and villages and seven representatives of the County Exec. I think that that's fairly clear.

CHAIRMAN BISHOP:

George, you worked with the executive branch on crafting this, right?

LEGISLATOR GULDI:

Yes I did.

CHAIRMAN BISHOP:

Okay. I mean there's the answer. It's not fair that if you negotiate a bill with the County Executive's Office, then each individual department can't come up and say oh but it's wrong and we have concerns. There's got to be some perhaps -- Legislator -- you want to table it? Okay. Motion to table by Legislator Binder, second by Legislator Guldi. All in favor? Opposed? Tabled.

I.R. NO. 1034 Establishing Suffolk County Aquaculture Committee in connection with programmatic dispute. (*Legislator George Guldi*)

VOTE: 7-0-0-0 TABLED**LEGISLATOR ALDEN:**

So he doesn't get blindsided after the next meeting.

MR. MINEI:

The only point I was making was we have not seen the amended resolution. So it's difficult for me to comment.

LEGISLATOR ALDEN:

Okay.

CHAIRMAN BISHOP:

Okay. Here we go. Here's the substitutive resolution. Approving acquisition under the Suffolk County Land Partnership Preservation Program of Ridgehaven Estates, LLC.

MR. SABATINO:

You need a town board resolution.

CHAIRMAN BISHOP:

Motion to table, second by Legislator Fields. All in favor? Opposed? 1185 is tabled.

I.R. NO. 1185 Approving acquisition under Suffolk County Land Preservation Partnership Program (Ridgehaven Estates LLC Property) Town of Brookhaven. (Legislator Martin Haley)

VOTE: 7-0-0-0 TABLED

CHAIRMAN BISHOP:

1198 motion to table by myself, second by Legislator Fisher. All in favor? Opposed? 1198 is tabled.

I.R. NO. 1198 Implementing Greenways Program in connection with acquisition of active parklands at Village of Amityville. (Legislator David Bishop)

VOTE: 7-0-0-0 TABLED

CHAIRMAN BISHOP:

1230, it must be very important. Authorizing acquisition of environmentally sensitive lands to be acquired under -- motion to table by Legislator Fisher, second by Legislator Binder. All in favor? Opposed? 1230 is tabled.

I.R. NO. 1230 Authorizing acquisition of environmentally sensitive lands to be acquired with current funding pursuant to Article XII of the Suffolk County Charter. (County Executive)

VOTE: 7-0-0-0 TABLED

CHAIRMAN BISHOP:

1265 is Land Partnership Preservation, Portion Road in Lake Ronkonkoma. Oh, the train, exactly. Tom? It's Islip, so you know about this one.

MR. ISLES:

No, it's actually Brookhaven Town but it's a --

CHAIRMAN BISHOP:

The lake touches Islip.

MR. ISLES:

Yes, it does, yes. But number one, there is no town board resolution. Number two, the Parks Trustees did vote to deny the application, deny the --

CHAIRMAN BISHOP:

Deny?

MR. ISLES:

Yes.

CHAIRMAN BISHOP:

Why, pray tell?

MR. ISLES:

They didn't find it consistent with County Park Policy.

CHAIRMAN BISHOP:

What is the intent of the resolution? Just so I can get a handle on this controversy brewing on Lake Ronkonkoma.

MR. ISLES:

Two-acre parcel on Portion Road in Lake Ronkonkoma.

CHAIRMAN BISHOP:

And what does Legislator Caracappa propose be done?

MR. ISLES:

I'm not aware.

CHAIRMAN BISHOP:

What? A hiring hall?

LEGISLATOR FISHER:

That's not funny.

MR. ISLES:

Okay.

CHAIRMAN BISHOP:

Paul, what does he want?

MR. SABATINO:

He wants to do an active parkland.

CHAIRMAN BISHOP:

He wants to do an active park next to Lake Ronkonkoma and that's --

MR. ISLES:

It's not next to Lake Ronkonkoma. It's quite a distance away from Lake Ronkonkoma.

CHAIRMAN BISHOP:

Why is it contrary to our problem? I don't understand. What's the --?

LEGISLATOR FIELDS:

He never suggested what he wanted to do with it and we were at the Parks Trustees and under the ranking system, it ranked zero and so --

CHAIRMAN BISHOP:

What did he do to them?

LEGISLATOR FIELDS:

No, it ranked zero. It had nothing to do with him and I spoke to him after that and he said that the -- apparently, the community would like to get acquired and possibly put a community center on it.

LEGISLATOR BINDER:

Ah, there you go the community center slash-hiring hall.

CHAIRMAN BISHOP:

You mean an opportunity center?

LEGISLATOR FIELDS:

This meeting has gone down hill.

LEGISLATOR ALDEN:

Ginny, how can it rank zero, it's land. They're not making any more of it.

LEGISLATOR BINDER:

Next year.

LEGISLATOR FIELDS:

Commissioner --

LEGISLATOR FISHER:

Legislator Caracappa --

LEGISLATOR FIELDS:

If you look at the ranking system, you'll see why it ranked zero.

LEGISLATOR FISHER:

And Legislator Caracappa indicated that he would be attending the next Parks Trustees meeting where they will further discuss it. Second.

MR. ISLES:

It's a 2-acre parcel fronting on Portion Road. The house in the front and the vacant land in the back. But they do want to come in for a community center; they can do so under the Active Recreation under Greenways. That will be another option for them, as opposed to this program.

CHAIRMAN BISHOP:

Land Partnership Preservation is only to preserve land as the title suggests? No? So then why wouldn't it --?

MR. GRECCO:

The Preservation Partnership can be for a number of purposes. Yes, it could be for active recreation.

CHAIRMAN BISHOP:

No, we do have to go through because unfortunately this committee always runs late but that's, you know we have to get through. It's just going to come back up and you're going to have the same problem. This is actually early. Land Partnership Preservation doesn't include --

MR. GRECCO:

Preservation Partnership is a broad program that allows you to buy for drinking water, open space, farmland, active parks and even historic preservation.

CHAIRMAN BISHOP:

So why wouldn't we do it under this program?

MR. SABATINO:

No, it's waiting for a town board resolution to do the match. Legislator Caracappa told me just file the bill. The town would be coming forward with the resolution but they haven't come forward with the resolution yet.

CHAIRMAN BISHOP:

Right.

MR. SABATINO:

So it's still sitting in front of the town.

CHAIRMAN BISHOP:

Motion by Legislator Binder to table, second by Legislator Fisher. It needs a town board resolution.

I.R. NO. 1265 Approving acquisition under Suffolk County Land Preservation Partnership Program at Portion Road in Lake Ronkonkoma, Town of Brookhaven. (Legislator Joseph Caracappa)

VOTE: 7-0-0-0 TABLED

CHAIRMAN BISHOP:

In the meantime, did anybody communicate to Legislator Caracappa that his

parcel ranked a zero?

LEGISLATOR FISHER:

Yes, Mr. Chair. I just indicated that I spoke to Mr. Caraccapa. He will be attending the next Park Trustee's meeting to see if they could find another solution.

CHAIRMAN BISHOP:

Find some points.

MR. ISLES:

Parks Trustees, I think, left the door open. That if there were a proposal put forth that would qualify it to be considered.

CHAIRMAN BISHOP:

I mean, I don't understand how it could be a zero. What could be so bad about it? 1323 dedication of certain lands in the Suffolk County Nature Preserve to Article 1, 1295. I have a request from the sponsor to table it.

LEGISLATOR BINDER:

Motion.

CHAIRMAN BISHOP:

Second by myself. Motion by Legislator Binder, 1295 is tabled.

I.R. NO. 1295 Dedicating certain lands now owned by the County of Suffolk to the County Nature Preserve pursuant to Article 1 of Suffolk County Charter and Section 406 of the New York Real Property Tax Law. (East Patchogue Bellport, North Bellport - f/k/a Gallo Duck Farm) (Legislator Brian Foley)

VOTE: 7-0-0-0 TABLED

CHAIRMAN BISHOP:

1323 dedication of certain lands to the County Nature Preserve. Now this, we went over this last time. Has anything changed?

LEGISLATOR BINDER:

I believe, I've talked to them and I have a deep belief in their commitment to the environment and to stopping this damnable --

LEGISLATOR FISHER:

And he also realized it would only be taking three hundred dollars off the tax rolls.

CHAIRMAN BISHOP:

Motion by Legislator Fisher, second by myself.

LEGISLATOR FISHER:

Six fifty, sorry.

LEGISLATOR FIELDS:

We also got --

CHAIRMAN BISHOP:

Legislator Alden, do you want to be heard?

LEGISLATOR FIELDS:

May I?

CHAIRMAN BISHOP:

You're sure?

LEGISLATOR FIELDS:

Dave? We also got, I believe, some backup with some photographs for all the Legislators to see.

CHAIRMAN BISHOP:

Motion by Legislator Fisher, second by myself. 1323 all in favor? Opposed? It's approved.

I.R. NO. 1323 Dedication of certain lands to the County Nature Preserve to Article 1 of the Suffolk County Charter and Section 406 of the New York Real Property Tax Law. (Donation) (County Executive)

VOTE: 7-0-0-0 APPROVED

CHAIRMAN BISHOP:

1325 authorizing acquisition of development rights to farmlands by the County of Suffolk, Phase V. Motion by Legislator Fisher, second by Legislator Caracciolo. How does this differ from what we did earlier? What is this?

MR. GRECCO:

Mr. Chairman, this was tabled last time because Legislator Binder wanted a priority.

CHAIRMAN BISHOP:

Priority list.

MR. GRECCO:

One of the things I gave you was an Exhibit A with the priority 1.

CHAIRMAN BISHOP:

I see and that's priority order.

MR. GRECCO:

That's priority order.

CHAIRMAN BISHOP:

You met the challenge.

MR. GRECCO:

We believe these are the ones.

CHAIRMAN BISHOP:

You met the challenge of Legislator Binder and produced the list.

MR. GRECCO:

Hopefully.

LEGISLATOR ALDEN:

Where the properties are located, scattered throughout Suffolk County is it not?

MR. GRECCO:

But they're farmland.

CHAIRMAN BISHOP:

They're farms. You have a lot of farms in your district?

LEGISLATOR BINDER:

There are farms in Western Suffolk. Believe it or not, yes there are.

MR. GRECCO:

We did a one acre horse farm in Huntington a couple of years ago, yes.

CHAIRMAN BISHOP:

Motion by Legislator Fisher, second by Legislator Caracciolo. All in favor? Oppose?

LEGISLATOR BINDER:

Opposed.

CHAIRMAN BISHOP:

Legislator Binder is opposed to preserving farmland.

I.R. NO. 1325 Authorizing the acquisition of Development Rights to Farmlands by the County of Suffolk, Phase V (Omnibus 2001(1) (County Executive)

VOTE: 6-1-0-0 APPROVED

CHAIRMAN BISHOP:

1337dedicating certain lands now owned by Suffolk County to the County Nature Preserve. This property is in the Woodlands in Hauppauge, Legislator Crecca. Oh, let's see the negative boys now operate.

MR. ISLES:

This is a parcel that's located just west of where we are today, almost across the street and it goes between Veterans Memorial Highway and New Highway. It's a former right of way that was purchased by the County for future road purposes. From what we understand, the road is no longer planned. We, with the resolution we put it in Nature Preserve. We brought up two issues at the last meeting. Number one is to get a confirmation from Public Works that they truly don't need it. That it is surplus. Number two, that there are four houses that access over this property that that would have to be squared away.

CHAIRMAN BISHOP:

Motion to table by Legislator Alden, second by Legislator --

LEGISLATOR FIELDS:

Does this go before Parks Trustees?

CHAIRMAN BISHOP:

Oh again, with the Parks Trustees.

LEGISLATOR FIELDS:

That's what I'm asking.

LEGISLATOR FISHER:

We're asking.

LEGISLATOR FIELDS:

Does anybody know?

MR. SABATINO:

It's not legally required. I know the Park Trustees look at it but they can make a recommendation but it's not like the Open Space Program where it's a roll.

MR. GRECCO:

Yes, it's surplus condemnation.

CHAIRMAN BISHOP:

We have a motion and a second. All in favor? Opposed? This is tabled, right? Tabled is the vote.

I.R. NO. 1337 Dedicating certain lands now owned by the County of Suffolk to the County Nature Preserve pursuant to Article 1 of the Suffolk County Charter and Section 406 of the New York Real Property Tax Law. (Woodlands in Hauppauge) (Legislator Andrew Crecca)

VOTE: 7-0-0-0 TABLED

CHAIRMAN BISHOP:

The rest are subject to call. We have a motion to adjourn by myself, second by Legislator Binder, I believe. All in favor? Opposed? We stand adjourned. Thank you.

(The meeting was adjourned at 5:45 P.M.)

{ } Denotes spelled phonetically